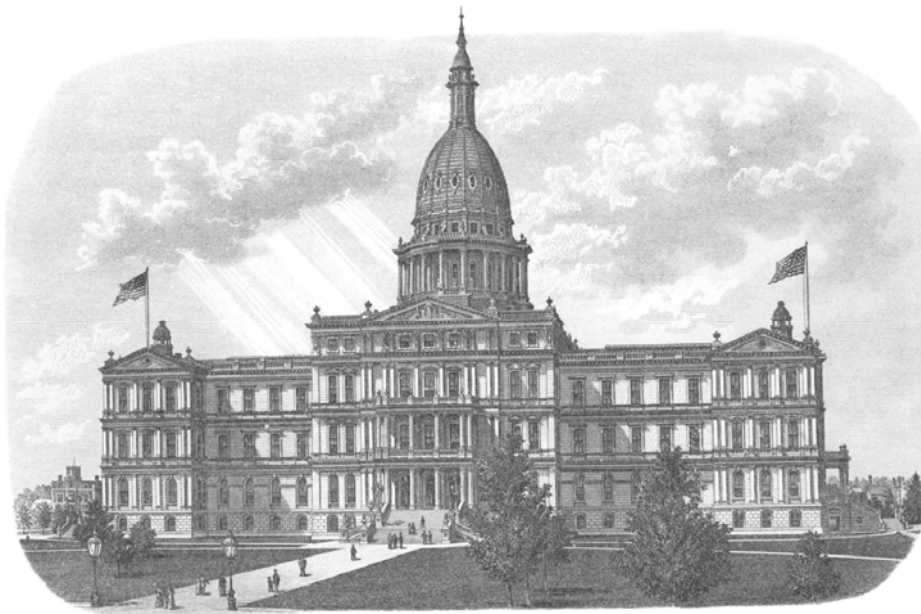


# Michigan Register

Issue No. 2 – 2013 (Published February 15, 2013)



# GRAPHIC IMAGES IN THE MICHIGAN REGISTER

## COVER DRAWING

### *Michigan State Capitol:*

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

## PAGE GRAPHICS

### *Capitol Dome:*

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19<sup>th</sup> century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

### *East Elevation of the Michigan State Capitol:*

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

# Michigan Register

Published pursuant to § 24.208 of  
The Michigan Compiled Laws



Issue No. 2— 2013

(This issue, published February 15, 2013, contains  
documents filed from January 15, 2013 to February 1, 2013)

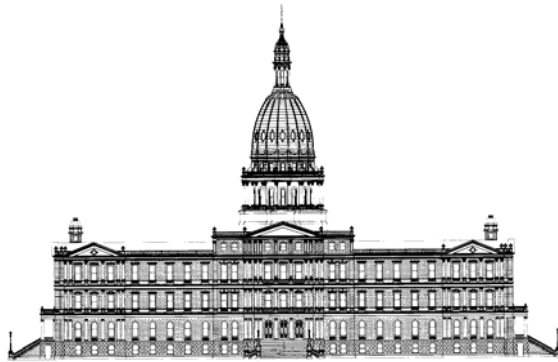
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**Office of Regulatory Reinvention**

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**Steve Arwood**, Director, Office of Regulatory Reinvention; **Deidre O’Berry**, Administrative Rules Specialist for Operations and Publications.

**Rick Snyder, Governor**



**Brian Calley, Lieutenant Governor**

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## PREFACE

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### PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

**24.208 Michigan register; publication; cumulative index; contents; public subscription; fee; synopsis of proposed rule or guideline; transmitting copies to office of regulatory reform.**

Sec. 8.

(1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

- (a) Executive orders and executive reorganization orders.
- (b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
- (c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
- (d) Proposed administrative rules.
- (e) Notices of public hearings on proposed administrative rules.
- (f) Administrative rules filed with the secretary of state.
- (g) Emergency rules filed with the secretary of state.
- (h) Notice of proposed and adopted agency guidelines.
- (i) Other official information considered necessary or appropriate by the office of regulatory reform.
- (j) Attorney general opinions.
- (k) All of the items listed in section 7(m) after final approval by the certificate of need commission under section 22215 of the public health code, 1978 PA 368, MCL 333.22215.

(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.

(3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.

(4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.

(5) An agency shall electronically transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

**4.1203 Michigan register fund; creation; administration; expenditures; disposition of money received from sale of Michigan register and amounts paid by state agencies; use of fund; price of Michigan register; availability of text on internet; copyright or other proprietary interest; fee prohibited; definition.**

Sec. 203.

- (1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.
- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs of preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of the Michigan register at a price determined by the office of regulatory reform not to exceed the cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

**CITATION TO THE MICHIGAN REGISTER**

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

**CLOSING DATES AND PUBLICATION SCHEDULE**

The deadlines for submitting documents to the Office of Regulatory Reinvention for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reinvention is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reinvention, Romney Building – Fourth Floor, 111 S. Capitol Avenue, Lansing, MI 48933

### **RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE**

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

### **SUBSCRIPTIONS AND DISTRIBUTION**

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$400.00 per year. Submit subscription requests to: Office of Regulatory Reinvention, Romney Building – Fourth Floor, 111 S. Capitol Avenue, Lansing, MI 48933. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reinvention (517) 335-8658.

### **INTERNET ACCESS**

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reinvention: [www.michigan.gov/orr](http://www.michigan.gov/orr).

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Office of Regulatory Reinvention Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Steve Arwood, Director  
Office of Regulatory Reinvention



## 2013 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2013	February 1, 2013
2	February 1, 2013	February 15, 2013
3	February 15, 2013	March 1, 2013
4	March 1, 2013	March 15, 2013
5	March 15, 2013	April 1, 2013
6	April 1, 2013	April 15, 2013
7	April 15, 2013	May 1, 2013
8	May 1, 2013	May 15, 2013
9	May 15, 2013	June 1, 2013
10	June 1, 2013	June 15, 2013
11	June 15, 2013	July 1, 2013
12	July 1, 2013	July 15, 2013
13	July 15, 2013	August 1, 2013
14	August 1, 2013	August 15, 2013
15	August 15, 2013	September 1, 2013
16	September 1, 2013	September 15, 2013
17	September 15, 2013	October 1, 2013
18	October 1, 2013	October 15, 2013
19	October 15, 2013	November 1, 2013
20	November 1, 2013	November 15, 2013
21	November 15, 2013	December 1, 2013
22	December 1, 2013	December 15, 2013
23	December 15, 2013	January 1, 2014
24	January 1, 2014	January 15, 2014

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**PROPOSED ADMINISTRATIVE RULES,  
NOTICES OF PUBLIC HEARINGS**

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*MCL 24.242(3) states in part:*

*“... the agency shall submit a copy of the notice of public hearing to the Office of Regulatory Reform for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the Office of Regulatory Reform.”*

*MCL 24.208 states in part:*

*“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

\*       \*       \*

*(d) Proposed administrative rules.*

*(e) Notices of public hearings on proposed administrative rules.”*

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**PROPOSED ADMINISTRATIVE RULES**

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**DEPARTMENT OF ~~LABOR & ECONOMIC GROWTH~~ LICENSING AND REGULATORY  
AFFAIRS**

**DIRECTOR'S OFFICE**

**PROFESSIONAL ENGINEERS – GENERAL RULES**

Proposed Draft December 4, 2012

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred **on the board by section 308 of 1980 PA 299, MCL 339.308** and on the director of the department of ~~labor and economic growth~~ **licensing and regulatory affairs** by sections ~~308 of 1980 PA 299, MCL 339.308~~ **205 and 2009 of 1980 PA 299, MCL 339.205 and 339.2009** and Executive Reorganization Order Nos. 1996-2, ~~MCL 445.2001~~ and Executive Reorganization Order No. ~~2003-18, MCL 445.2011~~ **2003-1, 2011-4, MCL 445.2001, MCL 445.2011, and MCL 445.2030**)

R 339.16001 of the Michigan Administrative Code is amended, and R 339.16036, R 339.16037, R 339.16038, R 339.16039, and R 339.16040 are added as follows:

**PART 1. GENERAL PROVISIONS**

R 339.16001 Definitions.

Rule 1. (1) As used in these rules:

- (a) "Act" means 1980 PA 299, MCL 339.101 to 339.2919.
- (b) "Authorized representative" means the chairperson, vice chairperson, or ~~such~~ other member of the board or employee of the department as the board may formally designate.
- (c) "Board" means the board of professional engineers.
- ~~(d) "Department" means the department of labor and economic growth.~~
- (d) "Continuing education" means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.**
- (e) "Course" means any qualifying activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation shall not be considered qualified activities, except for employer compensated continuing education activities.**
- (f) "Department" means the department of licensing and regulatory affairs.**
- (g) "Distance learning" means any of the following:**
  - (i) Courses where an instructor and a licensee may be apart and instruction takes place through online or electronic media.**

(ii) Courses which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.

(h) “Dual licensee” means a person who is licensed as both an engineer and a surveyor.

(2) Terms defined in the act have the same meanings when used in these rules.

#### **PART 4 CONTINUING EDUCATION**

##### **R 339.16036 Continuing education; license renewal; requirements.**

**Rule 36. (1) A licensee shall obtain 15 hours of continuing education per year or 30 hours of continuing education every 2 years, as specified in R 339.16038.**

**(2) A licensee shall certify the completion of continuing education requirements as a condition for licensure renewal in a format prescribed by the department.**

**(3) If a licensee exceeds the required hours of continuing education in a renewal period, a maximum of 15 hours may be carried forward into 1 subsequent renewal period.**

**(4) The department shall not renew a license if the continuing education requirements have not been completed.**

**(5) A licensee shall submit to the department evidence of fulfillment of the continuing education requirements within 45 days of a request from the department for the evidence to be submitted.**

##### **R 339.16037 Acceptable continuing education; limitations.**

**Rule 37. (1) Continuing education hours may be acquired in another jurisdiction.**

**(2) A dual licensee shall obtain in each occupation a minimum of 1/3 of the total continuing education hours required under R 339.16036(1). The remaining 2/3 of the requirement may be obtained in either occupation at the discretion of the licensee.**

**(3) Continuing education hours shall be relevant to the occupation and may be earned as follows:**

**(a) Successfully completing a college course.**

**(b) Successfully completing a continuing education course.**

**(c) Successfully completing a distance learning course.**

**(d) Presenting or attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, or conference.**

**(e) Teaching, instructing, or presenting an acceptable course or activity listed in subrule 3(a) to (d) of this rule.**

**(f) Publishing a peer-reviewed paper, article, or book in the licensee’s area of professional practice.**

**(g) Actively participating in a professional or technical society.**

**(h) Serving as a member of the state board of professional engineers or attending a state board of professional engineers meeting.**

**(i) Participating in a company sponsored seminar or training that is designed to enhance professional development in the licensee’s area of professional practice.**

**(j) Serving as a mentor to an engineering student in a school-sponsored program.**

**(k) Obtaining patents related to engineering.**

**(4) Continuing education hours shall be granted once during a renewal period in which the hours were earned for the same course or activity that a licensee completed as either a licensee, instructor, or presenter.**

**(5) Continuing education hours shall be granted once for the first time a course is offered or presented provided that the course is not associated with a licensee’s regular duties as a member of a faculty.**

**(6) Continuing education hours shall not be earned for any of the following activities:**

**(a) Passing an examination to obtain licensure.**

**(b) Completing a course that does not provide a licensee access to an instructor during the course.**

**(c) Completing a course that is not designed to bring licensees up to date on a particular area of knowledge or skills in the licensee's area of professional practice.**

**(d) Attending a cultural performance, entertainment, or recreational meeting or activity, or participation in a travel group.**

**(7) Units. The conversion of other units of credit to hours per renewal cycle shall be as follows:**

**(a) 1 college semester credit hour 45 hours**

**(b) 1 college quarter credit hour 30 hours**

**(c) 1 professional development unit in a course or seminar, 1 hour**

**(d) Teaching, instructing, or presenting an acceptable course or activity listed in subrule 3(a) to (d) of this rule. 45 hours**

**(e) Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice. 6 hours**

**(f) Actively participating in a professional or technical society. 2 hours**

**(g) Serving as a member of the state board of professional engineers or attending a state board of professional engineers meeting. 2 hours**

**(h) Serving as a mentor for an engineering student in a school-sponsored program.**

**4 hours**

**(i) Obtaining patents related to engineering. 10 hours**

**R 339.16038 Continuing education hours required; renewal.**

**Rule 38. Beginning the licensee's first full renewal cycle after these rules take effect, continuing education hours required for renewal shall be as follows:**

**(a) A licensee who holds a license for less than 12 months from the date of the initial licensure is not required to obtain continuing education hours for the first renewal period.**

**(b) A licensee who holds a license for more than 12 months, but less than 24 months from the date of initial licensure shall obtain 15 hours of continuing education for the first renewal period.**

**(c) A licensee who holds a license for 24 months or more from the date of initial licensure shall obtain 30 hours of continuing education for the renewal period.**

**R 339.16039 Determination of credit; forms; record keeping.**

**Rule 39. A licensee shall maintain records of continuing education hours earned for 4 consecutive years. The records shall include the following:**

**(a) The courses or activities completed, the dates when the courses or activities were held and the duration of the courses or activities, the sponsoring organization, the instructor's or speaker's name, and the hours earned.**

**(b) Verification of attendance at a course or activity, such as completion certificates or other supporting documentation.**

**R 339.16040 Auditing.**

**Rule 40. The department may establish a process for auditing licensees regarding continuing education for compliance with the act and these rules.**

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**NOTICE OF PUBLIC HEARING**

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**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATION, SECURITIES, AND COMMERCIAL LICENSING BUREAU**

**ARCHITECT, PROFESSIONAL ENGINEER, AND PROFESSIONAL SURVEYOR RULES  
Rule Sets 2009-065 LR, 2009-032 LR, and 2009-038 LR**

**NOTICE OF PUBLIC HEARING  
THURSDAY, MARCH 14, 2013  
2501 Woodlake Circle, Okemos, Michigan  
Conference Room 3, 1<sup>st</sup> Floor, 9:00 AM**

The Department of Licensing and Regulatory Affairs will hold a public hearing on Thursday, March 14, 2013, at the Corporation, Securities, and Commercial Licensing Bureau, 2501 Woodlake Circle, Okemos, Michigan in Conference Room 3 at 9:00 a.m. The hearing will be held to receive public comments on proposed changes to the Administrative Rules for Architects, Professional Engineers, and Professional Surveyors.

The proposed rule sets (2009-065 LR, 2009-032 LR, and 2009-038 LR) will establish criteria to implement and administer continuing professional competence for licensees at time of renewal pursuant to MCL 339.2009, 1980 PA 299.

These rules are promulgated by authority conferred on the Department of Licensing and Regulatory Affairs by sections 205, 308, and 2009 of 1980 PA 299, being MCL 339.205, 339.308, and 339.2009; and, Executive Reorganization Order Nos. 1996-2, 2003-1 and 2008-4, being MCL 445.2001, 445.2011, and MCL 445.2030. These rules will take effect immediately upon filing with the Secretary of State.

The rules (2009-065 LR, 2009-032 LR, and 2009-038 LR) are published on the Office of Regulatory Reinvention's website at [www.michigan.gov/orr](http://www.michigan.gov/orr) and in the February 15, 2013 issue of the *Michigan Register*. Comments may be submitted to the following address by 5:00 P.M. on Friday, March 15, 2013. Copies of the draft rules may also be obtained by mail or electronic transmission at the following address:

Department of Licensing and Regulatory Affairs  
Stephani Fleming, Corporation, Securities, and Commercial Licensing Bureau  
P.O. Box 30018, Lansing, MI 48909-7518  
Phone: 517-373-9871, Fax: 517-241-7539  
E-mail: [flemings2@michigan.gov](mailto:flemings2@michigan.gov)

The hearing site is accessible, including handicap parking. People with disabilities requiring additional accommodations in order to participate in the hearing (such as information in alternative formats) should contact the Bureau at 517-373-9871 at least 14 days prior to the hearing date. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. Information at this meeting will be presented by speakers and printed handouts.



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**PROPOSED ADMINISTRATIVE RULES**

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**DEPARTMENT OF ~~LABOR & ECONOMIC GROWTH~~ LICENSING AND REGULATORY  
AFFAIRS**

**DIRECTOR'S OFFICE**

**PROFESSIONAL SURVEYORS – GENERAL RULES**

Proposed Draft January 10, 2013

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred **on the board by section 308 of 1980 PA 299, MCL 339.308** and on the director of the department of ~~consumer and industry services~~ **licensing and regulatory affairs** by ~~sections 308 of 1980 PA 299, MCL 339.308~~ **205 and 2009 of 1980 PA 299, MCL 339.205 and 339.2009** and Executive Reorganization Order Nos. 1996-2, ~~MCL 445.2001~~ and Executive Reorganization Order No. ~~2003-1, 2011-4~~, MCL 445.2001, **MCL 445.2011, and MCL 445.2030**)

R 339.17101 of the Michigan Administrative Code is amended, and R 339.17505, R 339.17506, R 339.17507, R 339.17508, and R 339.17509 are added as follows:

**PART 1. GENERAL PROVISIONS**

R 339.17101 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means **1980 PA 299, Act no. 299 of the Public Acts of 1980, as amended, being SMCL 339.101 et seq. of the Michigan Compiled Laws. to 339.2919.**

(b) "Board" means the Michigan board of professional surveyors.

~~(c) "Department" means the department of commerce.~~

(c) "Continuing education" means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.

(d) "Course" means any qualifying activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation shall not be considered qualified activities, except for employer compensated continuing education activities.

(e) "Department" means the department of licensing and regulatory affairs.

(f) "Distance learning" means any of the following:

(i) Courses where an instructor and a licensee may be apart and instruction takes place through online or electronic media.

(ii) Courses which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.

(g) “Dual licensee” means a person who is licensed as both a surveyor and an engineer.

(2) Terms defined in the act have the same meanings when used in these rules.

## **PART 5 CONTINUING EDUCATION**

### **R 339.17505 Continuing education; license renewal; requirements.**

**Rule 505. (1)** A licensee shall obtain 15 hours of continuing education per year or 30 hours of continuing education every 2 years, as specified in R 339.17507.

(2) A licensee shall certify the completion of continuing education requirements as a condition for licensure renewal in a format prescribed by the department.

(3) If a licensee exceeds the required hours of continuing education in a renewal period, a maximum of 15 hours may be carried forward into 1 subsequent renewal period.

(4) The department shall not renew a license if the continuing education requirements have not been completed.

(5) A licensee shall submit to the department evidence of fulfillment of the continuing education requirements within 45 days of a request from the department for the evidence to be submitted.

### **R 339.17506 Acceptable continuing education; limitations.**

**Rule 506. (1)** Continuing education hours may be acquired in another jurisdiction.

(2) A dual licensee shall obtain in each occupation a minimum of 1/3 of the total continuing education hours required under R 339.17505(1). The remaining 2/3 of the requirement may be obtained in either occupation at the discretion of the licensee.

(3) Continuing education hours shall be relevant to the occupation and may be earned as follows:

(a) Successfully completing a college course.

(b) Successfully completing a continuing education course.

(c) Successfully completing a distance learning course.

(d) Presenting or attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention or conference.

(e) Teaching, instructing, or presenting an acceptable course or activity listed in subrule 3(a) to (d) of this rule.

(f) Publishing a peer-reviewed paper, article, or book in the licensee’s area of professional practice.

(g) Actively participating in a professional or technical society.

(h) Serving as a member of the state board of professional surveyors or attending a state board of professional surveyors meeting.

(i) Participating in a company sponsored seminar or training that is designed to enhance professional development in the licensee’s area of professional practice.

(j) Serving as a mentor to a surveying student in a school-sponsored program.

(k) Obtaining patents related to surveying.

(4) Continuing education hours shall be granted once during a renewal period in which the hours were earned for the same course or activity that a licensee completed as either a licensee, instructor, or presenter.

(5) Continuing education hours shall be granted once for the first time a course is offered or presented provided that the course is not associated with a licensee’s regular duties as a member of a faculty.

**(6) Continuing education hours shall not be earned for the following activities:**

**(a) Passing an examination to obtain licensure.**

**(b) Completing a course that does not provide a licensee access to an instructor during the course.**

**(c) Completing a course that is not designed to bring licensees up to date on a particular area of knowledge or skills in the licensee's area of professional practice.**

**(d) Attending a cultural performance, entertainment, or recreational meeting or activity, or participation in a travel group.**

**(7) Units. The conversion of other units of credit to hours per renewal cycle shall be as follows:**

**(a) 1 college semester credit hour 45 hours**

**(b) 1 college quarter credit hour 30 hours**

**(c) 1 professional development unit in a course or seminar 1 hour**

**(d) Teaching, instructing, or presenting an acceptable course or activity listed in subrule 3(a) to (d) of this rule. 45 hours**

**(e) Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice. 10 hours**

**(f) Actively participating in a professional or technical society. 2 hours**

**(g) Serving as a member of the state board of professional surveyors or attending a state board of professional surveyors meeting. 2 hours**

**(h) Serving as a mentor for a surveying student in a school-sponsored program. 4 hours**

**(i) Obtaining patents related to surveying 10 hours**

**R 339.17507 Continuing education hours required; renewal.**

**Rule 507. Beginning the licensee's first full renewal cycle after these rules take effect, continuing education hours required for renewal shall be as follows:**

**(a) A licensee who holds a license for less than 12 months from the date of the initial licensure is not required to obtain continuing education hours for the first renewal period.**

**(b) A licensee who holds a license for more than 12 months, but less than 24 months from the date of initial licensure shall obtain 15 hours of continuing education for the first renewal period.**

**(c) A licensee who holds a license for 24 months or more from the date of initial licensure shall obtain 30 hours of continuing education for the renewal period.**

**R 339.17508 Determination of credit; forms; record keeping.**

**Rule 508. A licensee shall maintain records of continuing education hours earned for 4 consecutive years. The records shall include the following:**

**(a) The courses or activities completed, the dates when the courses or activities were held and the duration of the courses or activities, the sponsoring organization, the instructor's or speaker's name, and the hours earned.**

**(b) Verification of attendance at a course or activity, such as completion certificates or other supporting documentation.**

**R 339.17509 Auditing.**

**Rule 509. The department may establish a process for auditing licensees regarding continuing education for compliance with the act and these rules.**

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**NOTICE OF PUBLIC HEARING**

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**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATION, SECURITIES, AND COMMERCIAL LICENSING BUREAU**

**ARCHITECT, PROFESSIONAL ENGINEER, AND PROFESSIONAL SURVEYOR RULES  
Rule Sets 2009-065 LR, 2009-032 LR, and 2009-038 LR**

**NOTICE OF PUBLIC HEARING  
THURSDAY, MARCH 14, 2013  
2501 Woodlake Circle, Okemos, Michigan  
Conference Room 3, 1<sup>st</sup> Floor, 9:00 AM**

The Department of Licensing and Regulatory Affairs will hold a public hearing on Thursday, March 14, 2013, at the Corporation, Securities, and Commercial Licensing Bureau, 2501 Woodlake Circle, Okemos, Michigan in Conference Room 3 at 9:00 a.m. The hearing will be held to receive public comments on proposed changes to the Administrative Rules for Architects, Professional Engineers, and Professional Surveyors.

The proposed rule sets (2009-065 LR, 2009-032 LR, and 2009-038 LR) will establish criteria to implement and administer continuing professional competence for licensees at time of renewal pursuant to MCL 339.2009, 1980 PA 299.

These rules are promulgated by authority conferred on the Department of Licensing and Regulatory Affairs by sections 205, 308, and 2009 of 1980 PA 299, being MCL 339.205, 339.308, and 339.2009; and, Executive Reorganization Order Nos. 1996-2, 2003-1 and 2008-4, being MCL 445.2001, 445.2011, and MCL 445.2030. These rules will take effect immediately upon filing with the Secretary of State.

The rules (2009-065 LR, 2009-032 LR, and 2009-038 LR) are published on the Office of Regulatory Reinvention's website at [www.michigan.gov/orr](http://www.michigan.gov/orr) and in the February 15, 2013 issue of the *Michigan Register*. Comments may be submitted to the following address by 5:00 P.M. on Friday, March 15, 2013. Copies of the draft rules may also be obtained by mail or electronic transmission at the following address:

Department of Licensing and Regulatory Affairs  
Stephani Fleming, Corporation, Securities, and Commercial Licensing Bureau  
P.O. Box 30018 Lansing, MI 48909-7518  
Phone: 517-373-9871 Fax: 517-241-7539  
E-mail: [flemings2@michigan.gov](mailto:flemings2@michigan.gov)

The hearing site is accessible, including handicap parking. People with disabilities requiring additional accommodations in order to participate in the hearing (such as information in alternative formats) should contact the Bureau at 517-373-9871 at least 14 days prior to the hearing date. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. Information at this meeting will be presented by speakers and printed handouts.

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**PROPOSED ADMINISTRATIVE RULES**

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**DEPARTMENT OF ~~LABOR & ECONOMIC GROWTH~~ LICENSING AND REGULATORY  
AFFAIRS**

**DIRECTOR'S OFFICE**

**ARCHITECTS - GENERAL RULES**

Proposed Draft December 4, 2012

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred **on the board by section 308 of 1980 PA 299, MCL 339.308** and on the director of the department of ~~labor and economic growth~~ **licensing and regulatory affairs** by sections ~~308 of 1980 PA 299, MCL 339.308~~ **205 and 2009 of 1980 PA 299, MCL 339.205 and MCL 339.2009** and Executive Reorganization Order Nos. 1996-2, ~~MCL 445.2001 and Executive Reorganization Order No. 2003-18, MCL 445.2011~~ **2003-1, 2011-4, MCL 445.2001, MCL 445.2011, and MCL 445.2030**)

R 339.15101 of the Michigan Administrative Code is amended, and R 339.15501, R 339.15502, R 339.15503, R 339.15504, R 339.15505, R 39.15506 and R 339.15507 are added, as follows:

R 339. 15101 Definitions.

Rule 101. (1) As used in these rules:

- (a) "Act" means 1980 PA 299, MCL 339.101 **to 339.2919**.
- (b) "Authorized representative" means the chairperson, vice chairperson, or ~~such~~ other member of the board or employee of the department as the board may formally designate.
- (c) "Board" means the board of architects.
- (d) ~~"Department" means the department of labor and economic growth.~~
- (d) **"Continuing education" means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.**
- (e) **"Course" means any qualifying activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation shall not be considered activities, except for employer compensated continuing education activities.**
- (f) **"Department" means the department of licensing and regulatory affairs.**
- (g) **"Distance learning" means any of the following:**
  - (i) **Courses where an instructor and a licensee may be apart and instruction takes place through online or electronic media.**

(ii) Courses which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.

(iii) Monographs which include an online quiz or test offered by a sponsor that may not require an instructor.

(h) “Health, Safety and Welfare (HSW) subjects” mean technical and professional subjects, relevant to the practice of architecture, which contain elements that will enhance the public’s health, safety, and welfare.

(i) “Monograph” means a distance learning course that examines or investigates current and emerging topics in architecture.

(j) “Sponsor” means a person, as defined in section 105(5) of the code, and acceptable as determined by the department, to fulfill the requirements of section 2009 of the code for continuing education.

(2) Terms defined in the act have the same meanings when used in these rules.

## **PART 5. CONTINUING EDUCATION**

### **R 339.15501 Continuing education; license renewal; requirements.**

**Rule 501. (1)** A licensee is required to obtain 12 hours of continuing education per year or 24 hours of continuing education every 2 years, as specified in R 339.15503.

(2) A licensee shall certify the completion of continuing education requirements as a condition for licensure renewal in a format prescribed by the department.

(3) If a licensee exceeds the required hours in a renewal period, a maximum of 12 hours may be carried forward into 1 subsequent renewal period.

(4) The department shall not renew a license if the continuing education requirements have not been completed.

(5) A licensee shall submit to the department evidence of fulfillment of the continuing education requirements within 45 days of a request from the department for the evidence to be submitted.

### **R 339.15502 Acceptable continuing education; limitations.**

**Rule 502. (1)** Continuing education may be acquired in another jurisdiction.

(2) Continuing education hours in HSW subjects may be earned as follows:

(a) Successfully completing a college course.

(b) Successfully completing a continuing education course.

(c) Successfully completing a distance learning course.

(d) Presenting or attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, or conference.

(e) Teaching, instructing, or presenting an acceptable course or activity listed in subrule 2(a) to (d) of this rule.

(f) Publishing a peer-reviewed paper, article, or book in the licensee’s area of professional practice.

(g) Serving as a member of the state board of architects or attending a state board of architects’ meeting.

(h) Participating in a company sponsored seminar or training to that is designed to enhance professional development in the licensee’s area of professional practice.

(3) Continuing education hours shall be granted once during a renewal period in which the hours were earned for the same course or activity that a licensee completed as a participant, instructor, or presenter.

(4) Continuing education hours shall be granted once for the first time a course is offered or presented provided that the course is not associated with a licensee's regular duties as a member of a facility.

(5) Continuing education hours shall not be earned for any of the following activities:

(a) Passing an examination to obtain licensure.

(b) Completing a course that is not designed to bring licensees up to date on a particular area of knowledge or skills in the licensee's area of professional practice.

(c) Attending a cultural performance, entertainment, or recreational meeting or activity, or participation in a travel group.

(6) Units. The conversion of other units of credit to hours per renewal cycle shall be as follows:

(a) 1 college semester credit hour 45 hours

(b) 1 college quarter credit hour 30 hours

(c) 1 professional development unit in a course or seminar 1 hour

(d) Teaching, instructing, or presenting a course or activity listed in subrule 2(a) to (d) of this rule. 45 hours

(e) Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice. 6 hours

(f) Serving as a member of the state board of architects or attending a state board of architects' meeting. 2 hours

**R 339.15503 Continuing education hours required; renewal.**

**Rule 503.** Beginning the licensee's first full renewal cycle after these rules take effect, continuing education hours required for renewal shall be as follows:

(a) A licensee who holds a license for less than 12 months from the date of initial licensure is not required to obtain continuing education hours for the first renewal period.

(b) A licensee who holds a license for more than 12 months, but less than 24 months from the date of licensure shall obtain 12 hours of continuing education for the first renewal period.

(c) A licensee who holds a license for 24 months or more from the date of initial licensure shall obtain 24 hours of continuing education for the renewal period.

**R 339.15504 Determination of credit; forms; recordkeeping.**

**Rule 504.** A licensee shall maintain records of continuing hours earned for 4 consecutive years. The records shall include both of the following:

(a) The courses or activities completed, the dates when the courses or activities were held, the sponsoring organization, and the continuing education hours earned.

(b) Verification of attendance at a course or activity, such as completion certificates or other supporting documentation.

**R 339.15505 Sponsor.**

**Rule 505.** A sponsor offering continuing education may include any of the following:

(a) National Council of Architectural Registration Boards.

(b) American Institute of Architects.

(c) Construction Specifications Institute.

(d) University of Michigan.

(e) Lawrence Technological University.

(f) University of Detroit Mercy.

(g) Andrews University.

**(h) United States Green Building Council.**

**(i) A college or university offering a course or activity relevant to architectural education, design, or construction technology education.**

**(j) An organization offering a course or activity relevant to architectural education, design, or construction technology education.**

**R 339.15506 HSW subjects for continuing education.**

**Rule 506. HSW subjects may include any of the following:**

**(a) Building design.**

**(b) Environmental or land use analysis.**

**(c) Life safety.**

**(d) Architectural programming.**

**(e) Site planning.**

**(f) Site and soils analysis.**

**(g) Accessibility.**

**(h) Structural systems considerations, including lateral forces; hurricane or high wind safety and design.**

**(i) Building codes.**

**(j) Evaluation and selection of building systems, products, or materials.**

**(k) Construction methods.**

**(l) Contract documentation.**

**(m) Construction administration.**

**(n) Energy conservation.**

**(o) Zoning and governance policies and procedures.**

**(p) Sustainability.**

**(q) Historic preservation.**

**(r) Requirements for building in coastal areas.**

**(s) Mold or other hazardous material mitigation.**

**(t) The impact of design on human physiology and neurology.**

**(u) Other similar HSW subjects relevant to architecture.**

**R 339.15507 Auditing.**

**Rule 507. The department may establish a process for auditing licensees regarding continuing education for compliance with the act and these rules.**



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**NOTICE OF PUBLIC HEARING**

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**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CORPORATION, SECURITIES, AND COMMERCIAL LICENSING BUREAU**

**ARCHITECT, PROFESSIONAL ENGINEER, AND PROFESSIONAL SURVEYOR RULES  
Rule Sets 2009-065 LR, 2009-032 LR, and 2009-038 LR**

**NOTICE OF PUBLIC HEARING  
THURSDAY, MARCH 14, 2013  
2501 Woodlake Circle, Okemos, Michigan  
Conference Room 3, 1<sup>st</sup> Floor, 9:00 AM**

The Department of Licensing and Regulatory Affairs will hold a public hearing on Thursday, March 14, 2013, at the Corporation, Securities, and Commercial Licensing Bureau, 2501 Woodlake Circle, Okemos, Michigan in Conference Room 3 at 9:00 a.m. The hearing will be held to receive public comments on proposed changes to the Administrative Rules for Architects, Professional Engineers, and Professional Surveyors.

The proposed rule sets (2009-065 LR, 2009-032 LR, and 2009-038 LR) will establish criteria to implement and administer continuing professional competence for licensees at time of renewal pursuant to MCL 339.2009, 1980 PA 299.

These rules are promulgated by authority conferred on the Department of Licensing and Regulatory Affairs by sections 205, 308, and 2009 of 1980 PA 299, being MCL 339.205, 339.308, and 339.2009; and, Executive Reorganization Order Nos. 1996-2, 2003-1 and 2008-4, being MCL 445.2001, 445.2011, and MCL 445.2030. These rules will take effect immediately upon filing with the Secretary of State.

The rules (2009-065 LR, 2009-032 LR, and 2009-038 LR) are published on the Office of Regulatory Reinvention's website at [www.michigan.gov/orr](http://www.michigan.gov/orr) and in the February 15, 2013 issue of the *Michigan Register*. Comments may be submitted to the following address by 5:00 P.M. on Friday, March 15, 2013. Copies of the draft rules may also be obtained by mail or electronic transmission at the following address:

Department of Licensing and Regulatory Affairs  
Stephani Fleming, Corporation, Securities, and Commercial Licensing Bureau  
P.O. Box 30018 Lansing, MI 48909-7518  
Phone: 517-373-9871 Fax: 517-241-7539  
E-mail: [flemings2@michigan.gov](mailto:flemings2@michigan.gov)

The hearing site is accessible, including handicap parking. People with disabilities requiring additional accommodations in order to participate in the hearing (such as information in alternative formats) should contact the Bureau at 517-373-9871 at least 14 days prior to the hearing date. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. Information at this meeting will be presented by speakers and printed handouts.

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**PROPOSED ADMINISTRATIVE RULES**

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~~DEPARTMENT OF NATURAL RESOURCES~~  
**DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT**  
~~REAL ESTATE DIVISION~~  
**ENVIRONMENTAL STEWARDSHIP DIVISION**  
~~OFFICE OF LAND USE~~

**FARMLAND AND OPEN SPACE PRESERVATION**

**Proposed Draft November 27, 2012**

Filed with the Secretary of State on

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 34, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

~~(By authority conferred on the department of natural resources by section 17 of Act No. 116 of the Public Acts of 1974, being S554.717 of the Michigan Compiled Laws)~~

**(By authority conferred on the department of agriculture and rural development by section 36116 of 1994 PA 451, MCL 324.36116)**

R 554.701, R 554.723, R 554.731, R 554.733, R 544.734, R 544.736, R 544.737, R 544.741, R 544.742, R 544.743, R 544.744, and R 544.746 of the Michigan Administrative Code are amended, R 554.721, R 554.722, and 544.747 are rescinded, and R 544.750 and R 544.751 are added to the Code to read as follows:

**PART 1. GENERAL PROVISIONS**

R 554.701 Definitions.

Rule 1. (1) "Act" means ~~Act No. 116 of the Public Acts of 1974, being SS 554.701 to 554.719 of the Michigan Compiled Laws~~ **1994 PA 451, MCL 324.101 to 324.90106.**

(2) "Department" means the department of ~~natural resources~~ **agriculture and rural development.**

(3) "Clerk" means the clerk of the local governing body or the person fulfilling the duties of the clerk.

(4) "Designated open space" means those open space lands as defined by section ~~2(8)(a)~~ **36101(j)(i)** of the act.

(5) "Gross annual income" means an average computed from 2 of the 3 tax years immediately preceding the year of application from the raising or harvesting of any agricultural commodities.

(6) "Has been devoted primarily to an agricultural use" means all land for which an application for a farmland development rights agreement has been filed shall have been under agricultural use, **as defined in section 36101(b) of the act**, for at least 1 year during the 36-month period immediately preceding filing the application. ~~Land under the agricultural stabilization and conservation service, United States department of agriculture, is eligible for inclusion as part of the farm operation.~~

(7) "Local open space" means those open space lands as defined by section ~~2(8)(b)~~ **36101(j)(ii)** of the act.

(8) "Specialty farm" means those enterprises of 15 or acres in size which meet the income requirements of section ~~2(6)(e)~~**36101(h)(iii)** of the act, produce agricultural, horticultural or floricultural commodities or are engaged in the business of breeding or husbanding animals, rendering services, or yielding products customarily associated with agricultural operations.

(9) "State" means a major state department or agency thereof in agreement with the state land use agency.

~~(10) "State land use agency" means the office of land use of the department.~~

~~(11)~~**(10)** "Totally and permanently disabled" means the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months.

## PART 2. ELIGIBLE LANDS

### R 554.721 Farmland development rights agreement.**Rescinded.**

Rule 21. ~~(1) The farmland cited in an application for a farmland development rights agreement means:~~  
~~–(a) A farm of 40 or more acres in 1 ownership, which has been devoted primarily to an agricultural use.~~  
~~–(b) A farm of 5 acres or more in 1 ownership, but less than 40 acres, devoted primarily to an agricultural use, which has produced a gross annual income from agriculture of \$200.00 per year or more per acre of cleared and tillable land.~~

~~–(c) A farm designated by the department of agriculture as a specialty farm in 1 ownership which has produced a gross annual income from an agricultural use of \$2,000.00 or more.~~

~~–(d) Parcels of land in 1 ownership which are not contiguous but which constitute an integral part of the farming operation being conducted on land otherwise qualifying as farmland may be included in an application under this act.~~

### R 554.722 Designated open space development rights easement.**Rescinded.**

Rule 22. ~~(1) The land cited in an application for designated open space shall be classified as historic open space, riverfront open space, or shoreland open space:~~

~~–(a) Historic open space are those lands as defined in section 2(8)(a)(i) of the act.~~

~~–(b) Riverfront open space shall be a contiguous area of undeveloped land which lies within 1/4 mile of a river designated under Act No. 231 of the Public Acts of 1970, being SS 281.761 to 281.776 of the Michigan Compiled Laws, and any part of which is within 400 feet of the river, or is within an area zoned by the applicable local unit of government pursuant to that act.~~

~~–(c) Shorelands open space shall be those undeveloped lands designated by the director of the department as an environmental area pursuant to Act No. 245 of the Public Acts of 1970, being SS 281.631 to 281.645 of the Michigan Compiled Laws.~~

### R 554.723 Local open space development rights easement.

Rule 23. ~~(1) The land cited in an application for a local open space development rights easement means any other area approved by the local governing body, the preservation of which in its present condition would conserve natural or scenic resources, including the promotion of the conservation of soils, wetlands, and beaches; the enhancement of recreation opportunities; the preservation of historic sites; and idle potential farmland of not less than 40 acres which is substantially undeveloped and which because of its soil, terrain and location is capable of being devoted to agricultural uses as identified by the department of agriculture.~~

~~(2)~~ **If an application for a local open space development rights easement is denied by the local governing body and is appealed to the state land use agency, the appeal may only be considered if the land covered by the application meets all of the following criteria:** ~~shall be considered on appeal to the state land use agency if it meets all of the following:~~

- (a) Is 15 acres or more in size.
- (b) Does not contain any residential, commercial, or industrial structures.
- (c) Is not operated as a commercial facility.
- (d) Bears significant importance to the public interest of more than local concern as a valuable land resource.

### PART 3. APPLICATION FOR DEVELOPMENT RIGHTS AGREEMENT OR EASEMENT

#### R 554.731 Application.

Rule 31. ~~(1) The application shall be made on forms prescribed by the department and contain all requested information.~~

~~(2)~~**(1)** The application shall be submitted to the clerk of the local governing body with the jurisdictional responsibility for the property cited in the application except that in those townships not having a duly adopted zoning ordinance pursuant to ~~Act No. 184 of the Public Acts of 1943, as amended, being SS 125.271 to 125.701~~ **the Michigan Zoning Enabling Act, 2006 PA 110, MCL 125.3101 to 125.3702** of the Michigan Compiled Laws, the application shall be submitted to the clerk of the governing body of the county.

~~(3)~~**(2)** The application shall contain a map which includes the following information:

- (a) All significant natural features, including but not limited to swamps, bogs, marshes, lakes, ponds, rivers, streams, woodlots, known mineral deposits and formations and sand dunes.
- (b) All physical improvements including but not limited to buildings, roads, feedlots, or any improvements under construction at the time of application.
- (c) All acreage under active agricultural use by type of use.

~~(4)~~**(3)** A copy of the most recent property tax assessment notice or tax bill shall accompany the application along with a statement by the applicant certifying the name of the owner of record, the legal description of the property and all liens, covenants, and other encumbrances affecting the title to the land.

#### R 554.733 Review.

Rule 33. (1) In reviewing an application for a farmland development rights agreement or a designated open space development rights easement, the local governing body shall consider first the ability of the land cited in the application to meet the eligibility requirements of ~~R 554.721 and R 554.722~~ **the act, sections 324.36101(h) and (j)(i)(A) to (C) respectively**. The local governing body may then take into consideration **the following**:

- (a) The physical resource characteristics for agricultural or designated open space use.
- (b) Any encumbrance on the property.
- (c) The relationship of the property to the entire farm operation if the application is for only a portion of the farm operation.
- (d) The percentage of the land cited in the application which actually meets the definition for farmland or designated open space.
- (e) Any other criteria which the local governing body can demonstrate as being relevant to the application.

(2) In reviewing an application for a farmland development rights agreement or a designated open space development rights easement, the state land use agency shall reject an application only if it is in nonconformance with the eligibility requirements in ~~R 554.721 and 554.722~~ **the act, sections 324.36101(h) and (j)(i)(A) to (C) respectively**. In reviewing an application on appeal for a farmland development rights agreement or a designated open space development rights easement, the state land use agency shall consider the ability of the land cited in the application to meet the eligibility requirements of ~~R 554.721 and R 554.722~~ **the act, sections 324.36101(h) and (j)(i)(A) to (C) respectively**. The state land use agency may then take into consideration **the following**:

- (a) The physical resource characteristics for agricultural or designated open space use.
- (b) Any encumbrance on the property.
- (c) The relationship of the property to the entire farm operation if the application is for only a portion of the farm operation.
- (d) The percentage of the land cited in the application which actually meets the definition for farmland or designated open space.
- (e) Any other criteria which the local governing body has demonstrated as being relevant to the application.

(3) In reviewing an application for a local open space development rights easement, the local governing body shall first consider the ability of the land cited in the application to meet the eligibility requirements of ~~R 554.723~~ **the act, section 324.36101(j)(ii)**. The local governing body may then take into consideration **the following**:

- (a) The physical resource characteristics for open space use.
- (b) Any encumbrance on the property.
- (c) The percentage of the land cited in the application which actually meets the definition for local open space.
- (d) Any other criteria which the local governing body can demonstrate as being relevant to the application.

(4) In reviewing an application for a local open space development rights easement on appeal, the state land use agency shall consider the ability of the land cited in the application to meet the eligibility requirements of R 554.723.

#### R 554.734 Approval or rejection.

Rule 34. (1) Approval or rejection of an application shall be by vote of the local governing body.

(2) The vote may be taken at either a regularly scheduled meeting of the local governing body or a special meeting called for the purpose of acting on the application. In each case the applicant shall be notified in writing by the clerk at least 5 days before the meeting of the time and place of the meeting.

(3) The clerk shall certify the results and date of the vote on the application.

(4) Within 10 days of the date the vote was taken, the clerk shall notify the applicant of the local governing body's decision. If rejected, the local governing body shall provide the applicant with a written statement citing the reasons for rejection.

(5) A locally approved application for a farmland development rights agreement or for a designated open space development rights easement, together with supporting materials, shall be forwarded to the state land use agency within 10 days of the date of approval by the local governing body.

(6) A copy of a locally approved application for a local open space development rights easement, together with copies of the supporting materials, shall be forwarded to the state land use agency for informational purposes within 30 days of the date of approval by the local governing body.

(7) The 60-day review period as provided in sections ~~5 and 736104 and 36106~~ of the act begins with receipt of the application or appeal request by the state land use agency.

(8) The applicant shall be notified within 15 days of the date of approval or rejection by the state land use agency. If rejected, the state land use agency shall provide the applicant with a written statement citing the reasons for rejection.

(9) All open space development rights easement applications approved by the state land use agency shall be submitted **to the legislature under the provisions of section 36105(3) of the act.** ~~within 30 days to the clerk of the house of representatives and secretary of the senate. Copies shall be forwarded to:~~

~~–(a) Chairman of the house taxation committee and chairman of the senate taxation committee.~~

~~–(b) Chairmen of the appropriations committees.~~

~~–(c) Directors of the house fiscal agency and senate fiscal agency.~~

(10) Upon approval of a farmland development rights agreement by the state land use agency or designated open space development rights easement by the legislature, the applicant shall have 30 days from date of receipt of the agreement or easement to execute the agreement or easement unless an extension is granted in writing by the state land use agency.

(11) Upon approval of a local open space development rights easement by the local governing body, the applicant shall have ~~30~~**90** days from the date of receipt of the local open space development rights easement to execute the easement unless an extension is granted in writing by the local governing body.

#### R 554.736 Reapplication.

Rule 36. The 1-year waiting period for reapplication as provided in sections ~~536104~~ and ~~736106~~ of the act shall be from the date of notification of the last rejection permitted under the act, or if the applicant chooses not to appeal, from the date of expiration of the appeal period.

#### R 554.737 Assessments.

Rule 37. (1) A copy of the state tax commission appraisal under sections ~~536105~~ and ~~636106~~ of the act shall be transmitted to the local assessor for the basis of the first assessment for the land covered by a farmland development rights agreement or an open space development rights easement. Subsequent assessments shall be reviewed annually by the local assessor in the same manner as other real property assessments. A copy of the termination appraisal by the state tax commission shall be transmitted to the local assessor.

(2) Subsequent to the execution of a farmland development rights agreement, the local assessing officer shall specify the state equalized valuation and the ad valorem taxes levied on the description and shall forward such information to the state land use agency by February 15 of each year until the agreement is terminated.

(3) Subsequent to the approval of a local open space development rights easement application by the legislature and execution of the easement by the applicant, the local assessing officer shall specify the state equalized valuation of the description exclusive of open space development rights, the state equalized valuation of the open space development rights and the ad valorem taxes not paid on the open space development rights and shall forward such information to the state land use agency by February 15 of each year until the easement is terminated.

### PART 4. TERMINATION OF A DEVELOPMENT RIGHTS AGREEMENT OR EASEMENT

#### R 554.741 Application.

Rule 41. (1) The application shall be made on forms prescribed by the department and shall contain all requested information.

(2) The application shall be submitted to the clerk of the local governing body with the jurisdictional responsibility for the property cited in the application except that in those cases of townships not having a duly adopted zoning ordinance pursuant to ~~Act No. 184 of the Public Acts of 1943, being SS 125.271 to 125.301~~ **the Michigan Zoning Enabling Act, 2006 PA 110, MCL 125.3101 to 125.3702** ~~of the Michigan Compiled Laws~~, the application shall be submitted to the clerk of the governing body of the county.

(3) The application shall contain a map which includes all significant changes to the natural features of the land cited in the original application.

(4) A land owner or his heirs qualifying under section 11(2) of the act, death or total and permanent disability, at his option, may request termination of a development rights agreement or easement. The request shall be made to the holder of the development rights by certified mail stating the reasons for termination request and shall include a doctor's statement of health or a copy of the death certificate.

#### R 554.742 Certification and review.

Rule 4242. (1) The clerk shall certify the date of receipt of the application if the application meets the requirements of R 554.741 and the information contained in the application is accurate to the best of the clerk's knowledge.

(2) The clerk shall provide a copy of the certification to the applicant.

(3) The clerk shall forward copies of the application to the reviewing agencies as required under section ~~5(2)~~**36104 of the act** for farmland and designated open space and section ~~7(2)~~**36106 of the act** for local open space ~~of the act~~. Notification shall include the final date for the acceptance of comments, 30 days from the date of receipt of the application by the clerk.

(4) The clerk shall present the application at the next scheduled meeting of the local governing body and shall on the application certify the date of presentation.

(5) The 45-day review period for the local governing body shall commence when the application is presented to that body by the clerk.

#### R 554.743 Review.

Rule 43. (1) In reviewing a termination application for a farmland development rights agreement or a designated open space development rights easement, the local governing body or the state land use agency shall consider **the following**:

(a) That the agreement or easement imposes continuing economic inviability causing hardships through the prevention of necessary improvements to the land. Economic inviability consists of continued uneconomic operation because of the restrictions in the agreement or easement and not merely the existence of uses of the land that allow higher returns.

(b) **Other factors set forth in section 36111(1)(a) of the act.** ~~Surrounding conditions impose physical obstacles to the agricultural operation or prohibit essential agricultural practices.~~

~~—(c) Significant natural physical changes in the land which are generally irreversible in nature and permanently affect the land.~~

(2) In reviewing a termination application for a local open space development rights easement, the local governing body shall consider **the following**:

(a) That the easement imposes continuing economic inviability causing hardships through the prevention of necessary improvements to the land. Economic inviability consists of continued uneconomic operation because of the restrictions in the easement and not merely the existence of uses of the land that allow higher returns.

(b) Surrounding conditions or significant natural physical changes in the land which are generally irreversible in nature and permanently affect the land.

(3) If a termination application is for a local open space development rights easement which was appealed to the state land use agency and concurred in by the legislature, the application shall be forwarded to the state land use agency for review and recommendation to the legislature for final determination. The state land use agency shall consider **the following**:

(a) That the easement imposes continuing economic inviability causing hardships through the prevention of necessary improvements to the land. Economic inviability consists of continued uneconomic operation because of the restrictions in the easement and not merely the existence of uses of the land that allow higher returns.

(b) Surrounding conditions or significant natural physical changes in the land which are generally irreversible in nature and permanently affect the land.

(c) That the property cited in the easement no longer bears significant importance to the public interest.

R 554.744 Approval or rejection.

Rule 44. (1) Approval or rejection of a termination application shall be by vote of the local governing body.

(2) The vote may be taken at either a regularly scheduled meeting of the local governing body or a special meeting called for the purpose of acting on the application. In each case the applicant shall be notified in writing by the clerk at least 5 days prior to the meeting of the time and place of the meeting.

(3) The clerk shall certify the results and date of the vote on the application.

(4) Within 10 days of the date the vote was taken, the clerk shall notify the applicant of the local governing body's decision. If rejected the local governing body shall provide the applicant with a written statement citing the reasons for rejection.

(5) A locally approved termination application for a farmland development rights agreement or for a designated open space development rights easement, together with supporting materials, shall be forwarded to the state land use agency within 10 days of the date of approval by the local governing body.

(6) A copy of a locally approved termination application for a local open space development rights easement, together with copies of the supporting materials, shall be forwarded to the state land use agency for informational purposes within 30 days of the date of approval by the local governing body.

(7) The 60-day review period as provided in sections ~~536104~~ and ~~736106~~ of the act begins with receipt of the termination application or appeal request by the state land use agency.

(8) The applicant shall be notified within 15 days of the date of approval or rejection by the state land use agency. If rejected, the state land use agency shall provide the applicant with a written statement citing the reasons for rejection.

(9) All open space development rights termination applications approved by the state land use agency shall be submitted within 30 days to the clerk of the house of representatives and secretary of the senate. Copies shall be forwarded to **all of the following**:

(a) Chairman of the house taxation committee and chairman of the senate taxation committee.

(b) Chairmen of the appropriations committees.

(c) Directors of the house fiscal agency and senate fiscal agency.

(10) An applicant shall be notified by the state land use agency within 15 days of the date of approval or rejection by the legislature.

R 554.746 Reapplication.



Rule 46. The 1-year waiting period for reapplication as provided in sections **536104** and **736106** of the act shall be from the date of notification of the last rejection permitted under the act, or if the applicant chooses not to appeal, from the date of expiration of the appeal period.

**R 554.747 ~~Public interest; development rights agreements and designated open space easements.~~  
Rescinded.**

~~—Rule 47. (1) At any time that the state, in agreement with the land owner, considers that the release of the land covered by a farmland development rights agreement or designated open space development rights easement is in the public interest, it shall notify in writing the local governing body and all reviewing agencies.~~

~~—(2) At any time the local governing body, in agreement with the land owner, determines that the release of the land cited in a local open space development rights easement is in the public interest, it shall notify in writing all reviewing agencies and the state land use agency.~~

~~—(3) If the land cited by the local governing body was originally approved on appeal by the state land use agency, as provided under R 554.723, the land shall not be released without the consent of the state land use agency concurred in by resolution of the legislature.~~

**R 554.750 Purchase of development rights or acquisition of agricultural conservation easements determination of value.**

**Rule 50.** When a development rights easement or an agricultural conservation easement is being acquired under section 36111b of the act and the land considered for acquisition is encumbered by a farmland development rights agreement under the act, enrollment in the development rights agreement shall not be used in determining the fair market value under section 36111b(4) of the act.

**R 554.751 Oil and gas exploration and extraction on land enrolled in development rights easement or development rights agreement.**

**Rule 51.** The exploration and extraction of oil and gas on land covered by a development rights easement or development rights agreement is permitted provided the exploration and extraction operations does not substantially hinder the open space character or farming operations.

**Exploration and extraction activities may not commence until both of the following occur:**

**(a) The state land use agency has been notified, by certified mail, of the intended activity which shall include a site plan for the proposed facilities.**

**(b) The state land use agency has made a determination that the exploration or extraction operation, or both, does not substantially hinder the farming operation.**

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**NOTICE OF PUBLIC HEARING**

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**Notice of Public Hearing**

STATE OF MICHIGAN  
DEPARTMENT OF AGRICULTURE & RURAL DEVELOPMENT  
ENVIRONMENTAL STEWARDSHIP DIVISION

The Michigan Department of Agriculture and Rural Development, Environmental Stewardship Division, will conduct a public hearing on proposed amendments to the regulation entitled Farmland and Open Space Preservation. This rule is being revised to allow the department to administer the State of Michigan's various farmland agreements and open space easement programs in accordance with the Natural Resources and Environmental Protection Act, 1994 PA 451, Part 361, and its amendments.

The public hearing will be held on Friday, February 22, 2013 beginning at 9:00 a.m. at the Michigan Library and Historical Center, 702 West Kalamazoo Street, Lansing, Michigan 48915 in the Lake Superior Room on the north side of the first floor.

The proposed rules identified as 2012-003 AC, can be viewed and downloaded from the internet through the Department of Licensing and Regulatory Affairs (LARA) at <http://www7.dleg.state.mi.us/orr/Rules.aspx?type=Number&id=R+554.701>. Copies of the proposed rule may also be obtained by contacting:

Michigan Department of Agriculture and Rural Development  
Environmental Stewardship Division  
P.O. Box 30017  
Lansing, MI 48909  
Phone (517) 335-3400  
Fax (517) 373-6015  
Email: harlowr@michigan.gov

All interested persons are invited to attend and present their views. It is requested that all statements be submitted in writing for the hearing record. Anyone unable to attend may submit comments in writing to the Environmental Stewardship Division at the address above. Written comments must be received by 5:00 p.m. on Friday, March 1, 2013.

Persons needing accommodations for effective participation in the meeting should contact the Environmental Stewardship Division at (517) 335-3400, a week in advance to request mobility, visual, hearing, or other assistance.

Promulgation of these rules is pursuant to the authority conferred on the director of Agriculture and Rural Development by section 36116 of 1994 PA 451, MCL 324.36116, also known as the Natural Resources and Environmental Protection Act. These rules become effective immediately upon filing with the Secretary of State.

Date: January 18, 2013

Jamie Clover Adams, Director

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**PROPOSED ADMINISTRATIVE RULES**

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**DEPARTMENT OF ~~CONSUMER AND INDUSTRY SERVICES~~ LICENSING AND  
REGULATORY AFFAIRS**

**DIRECTOR'S OFFICE**

**CONSTRUCTION SAFETY STANDARDS**

Proposed Draft September 24, 2012

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of **licensing and regulatory affairs** ~~consumer and industry services~~ by sections 19 and 21 of 1974 PA 154 and Executive Reorganization Order Nos. **1996-2, 2003-1, 2008-4, and 2011-4**, MCL **445.2001, 445.2011, 445.2025, and 445.2030** ~~No. 1996-2, MCL 408.1019, 408.1021, and 445.2001~~)

R 408.41410, R 408.41462, R 408.41464, R 408.41465, R 408.41466, R 408.41467, R 408.41472, R 408.41475, R 408.41476, R 408.41477, R 408.41478, and R 408.41482 of the Michigan Administrative Code are amended, R 408.41075a and R 408.41077a are added to the Code, and R 408.41468 of the Code is rescinded as follows:

**PART 14. TUNNELS, SHAFTS, CAISSONS, AND COFFERDAMS**

R 408.41410 Adoption of standards by reference.

Rule 1410. (1) The standards specified in this rule, except for the standards specified in subrules (2) and (3) of this rule, are adopted by reference.

(a) The following standards are available from the United States Government Bookstore, Patrick V. McNamara Federal Building, Suite 160, 477 Michigan Avenue, Detroit, Michigan 48226; or via the internet at web-site: <http://bookstore.gpo.gov>; or at the Michigan Department of ~~Consumer and Industry Services~~ **Licensing and Regulatory Affairs**, MIOSHA Standards ~~Section Division~~, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at a cost as of the time of adoption of these amendments, as stated in this subdivision.

(i) The provisions of 30 C.F.R. Parts 1-199, Mineral Resources, revised July 1, 2000. cost: ~~\$52.00~~ **\$4.00**.

(ii) The provisions of 42 C.F.R. Part 84, Public Health Service, revised October 1, 2001. Cost: ~~\$65.00~~ **\$4.00**.

~~—(b) The following standards are available from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado 80112; telephone number 1-800-854-7179; or via the internet at web site [www.global.ihs.com](http://www.global.ihs.com); or at the Michigan Department of Consumer and Industry Services, MIOSHA Standards Division, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan 48909-8143, at a cost as of the time of adoption of these amendments, as stated in this subdivision.~~

~~–(i) National Fire Protection Association Standard NFPA 70: “Standard for National Electrical Code,” 1999 edition. Cost: \$98.00~~

~~–(ii) American Welding Society (AWS) Standard: IHS AWSC “AWS Structural Welding Code,” 2000 edition. Cost: \$350.00~~

(2) The Bureau of Construction Codes, Elevator Safety Board 1967 PA 227, MCL 408.801 ~~et seq. to~~ **408.824** and R 408.8511 to R 408.8524 are referenced in these rules and are available from the Michigan Department of **Licensing and Regulatory Affairs Consumer and Industry Services**, Bureau of Construction Codes, **Elevator Safety Division, P.O. Box 30255, Lansing, 2501 Woodlake Circle, Okemos, Michigan 48909**; or via the internet at web-site: [www.michigan.gov/bcc](http://www.michigan.gov/bcc) [www.michigan.gov/eis](http://www.michigan.gov/eis); or from the Michigan Department of **Licensing and Regulatory Affairs Consumer and Industry Services**, MIOSHA Standards **Section Division**, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at no cost as of the time of adoption of these amendments.

(3) The following occupational safety and health administrative standards are referenced in these rules and are available from the Michigan Department of **Licensing and Regulatory Affairs Consumer and Industry Services**, MIOSHA Standards **Section Division**, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143; or via the internet at web-site: [www.michigan.gov/miosha](http://www.michigan.gov/miosha), at no cost as of the time of adoption of these amendments:

(a) Construction safety standard Part 1. General Rules, ~~being~~ R 408.40101 et seq. of the Michigan administrative code.

~~–(b) Construction safety standard Part 6. Personal Protective Equipment, being R 408.40601 et seq. of the Michigan administrative code.~~

(b) ~~(e)~~ Construction safety standard Part 7. Welding and Cutting, ~~being~~ R 408.40701 et seq. of the Michigan administrative code.

(c) ~~(d)~~ Construction safety standard Part 9. Excavation, Trenching, and Shoring, ~~being~~ R 408.40901 et seq. of the Michigan administrative code.

(d) ~~(e)~~ Construction safety standard Part 10. Lifting and Digging Equipment, ~~being~~ R 408.41001 et seq. of the Michigan administrative code.

~~–(f) Construction safety standard Part 11. Fixed and Portable Ladders, being R 408.41101 et seq. of the Michigan administrative code.~~

(e) ~~(g)~~ Construction safety standard Part 16. Power Transmission and Distribution, ~~being~~ R 408.41601 et seq. of the Michigan administrative code.

(f) ~~(h)~~ Construction safety standard Part 17. Electrical Installations, ~~being~~ R 408.41701 et seq. of the Michigan administrative code.

(g) ~~(i)~~ Construction safety standard Part 18. Fire Protection and Prevention, ~~being~~ R 408.41801 et seq. of the Michigan administrative code.

(h) ~~(j)~~ Construction safety standard Part 21. Guarding of Walking and Working Areas, ~~being~~ R 408.42101 et seq. of the Michigan administrative code.

(i) ~~(k)~~ Construction safety standard Part 22. Signals, Signs, Tags, and Barricades, ~~being~~ R 408.42201 et seq. of the Michigan administrative code.

(j) ~~(l)~~ Construction safety standard Part 27. Blasting and Use of Explosives, ~~being~~ R 408.42701 et seq. of the Michigan administrative code.

(k) ~~(m)~~ Construction safety standard Part 45. Fall Protection, ~~being~~ R 408.44501 et seq. of the Michigan administrative code.

(l) ~~(n)~~ Occupational health standard Part 451. Respiratory Protection, ~~being~~ R 325.60051 et seq. of the Michigan administrative code.

(m) ~~(o)~~ Occupational health standard Part 665. Underground Construction, Caissons, Cofferdams, and Compressed Air, ~~being~~ R 325.62991 et seq. of the Michigan administrative code.

R 408.41462 Safety generally.

Rule 1462. (1) The employer shall inform oncoming shifts of any hazardous occurrences or conditions that have affected or might affect employee safety, including liberation of gas, equipment failures, earth or rock slides, cave-ins, floodings, fires, or explosions.

(2) A safe means of egress and access to all work areas shall be provided and maintained free of hazards.

~~–(3) Form scrap material, lumber that has protruding nails, and all other debris shall be kept cleared from the work areas, passageways, stairs, locks, and change houses.~~

~~–(4) Combustible debris shall be removed daily during the course of construction.~~

~~–(5) If a haulage roadbed consists of track and ties, then the employer shall provide a walkway. The walkway shall be a minimum of 2 2 inch planks, side by side, abutted, joined, and secured to a tie or other equivalent means. If space is not adequate for 2 2 inch by 10 inch planks, then the walkway shall be as wide as space permits.~~

(3) ~~(6)~~ When work is not being performed, access to an underground opening shall be covered, bulkheaded, fenced off, or restricted by gates or doors and appropriately posted.

(4) ~~(7)~~ Any section of tunnel that is not in use shall be barricaded to prevent ingress by an unauthorized employee.

(5) ~~(8)~~ Construction of a trench, manhole, or other opening for use in a tunnel or shaft operation shall be as prescribed in ~~R 408.40901 et seq.~~, construction safety standard Part 9. Excavation, Trenching, and Shoring and ~~R 408.44501 et seq.~~, construction safety standard Part 45. Fall Protection, **which is referenced in R 408.41410.**

~~–(9) The power source to a tunneling machine shall be disconnected or locked out when an employee is working in the area of the cutting head or performing maintenance work on the tunneling machine where motion could cause an injury.~~

(6) ~~(10)~~ An area subject to subsidence that is hazardous to an employee shall be fenced and appropriately posted.

(7) ~~(11)~~ Each operation shall have a check-in and check-out system that will provide positive identification of an employee by number or name and will identify the location of each employee who is underground. An accurate record shall be kept on the surface. However, a check-in and check-out system is not required when the construction of underground facilities that are designed for human occupancy has been completed so that the permanent environmental controls are effective and the remaining construction activity will not cause any environmental hazard or structural failure within the facilities.

~~–(12) A ladder or stairway that is provided in a shaft, caisson, or steep incline shall be as prescribed in R 408.41101 et seq., construction safety standard Part 11. Fixed and Portable Ladders and R 408.42101 et seq., construction safety standard Part 21. Guarding of Walking and Working Areas.~~

~~–(13) An employer shall establish and coordinate with the employees an accident prevention program and a safety training program as prescribed in R 408.40101 et seq., construction safety standard Part 1. General Rules.~~

(8) ~~(14)~~ All employees shall be instructed in the recognition and avoidance of hazards that are associated with all of the following underground construction activities:

- (a) Air monitoring.
- (b) Ventilation.
- (c) Illumination.
- (d) Communications.

- (e) Flood control.
- (f) Mechanical equipment.
- (g) Personal protective equipment.
- (h) Explosives.
- (i) Fire prevention and protection.
- (j) Emergency procedures, including evacuation plans and check-in and check-out systems.

(9) (15) The employer shall issue each employee a copy of the project's general safety rules before the employee commences work at the project.

(10) (16) Each employer shall designate a qualified person who is responsible for administering the safety program. A written record shall be maintained of the safety training program.

(11) (17) Before an employee enters a tunnel where the atmosphere may be hazardous due to a condition such as a deficiency of oxygen, or may be toxic in excess of the maximum allowable limits, the tunnel shall be tested and the results shall be recorded as prescribed in ~~R 325.62991 et seq.~~, occupational health standard Part 665. Underground Construction, Caissons, Cofferdams, and Compressed Air, **which is referenced in R 408.41410**. The records shall be maintained at the jobsite. If the atmosphere is hazardous, either sufficient ventilation to eliminate the hazard shall be provided or respiratory equipment as prescribed by the ~~Department of~~ **licensing and regulatory affairs Consumer and Industry Services** shall be worn.

(12) (18) If an atmosphere is found to be explosive, then sparks, flame, and other sources of ignition shall be prohibited and ventilation shall be provided until the hazard has been reduced and maintained at or below the maximum allowable limits as prescribed by the ~~Department of~~ **licensing and regulatory affairs Consumer and Industry Services**.

~~-(19) An occupied auger or pipe jacking tunnel shall be monitored for air quality immediately before entering the tunnel and during the period of occupancy in the tunnel.~~

#### R 408.41464 Communication system; location; signals

Rule 1464. (1) In a tunnel that is more than 225 feet long, a communication system shall be provided at all of the following locations:

- (a) The working face.
- (b) The top of the shaft.
- (c) The bottom of the shaft.
- (d) The hoisting station, if provided.
- (e) Each 1,000 feet of tunnel.
- (f) The office, if provided. A public telephone or other communication system shall be provided or available to each tunnel project to secure outside emergency help.

(g) Hoist operators shall be provided with a closed-circuit voice communication system to each landing station. The system shall have speaker microphones located so that the operator can communicate with individual landing stations during hoist use.

(2) An employer shall establish and maintain direct communications for coordination of activities with other employers whose operations at the jobsite affect or may affect the safety of employees who are underground.

(3) If a tunnel is pressurized, then all of the following additional locations shall also be provided with a communication system:

- (a) The working chamber side of the manlock near the door.
- (b) The interior of all locks.
- (c) The lock attendant's station.

(d) The compressor plant.

(e) The first aid station.

(4) Communication systems shall be tested upon initial entry of each shift to the underground, and as often as necessary thereafter, to ensure that they are in working order.

(5) An employee who works alone underground in a hazardous location and who is both out of the range of natural unassisted voice communication and not under observation by other persons shall be provided with an effective means of obtaining assistance in an emergency.

~~–(6) For an occupied pipe jacking tunnel that is more than 225 feet long, there shall be a telephone or other signal communication system established between the working face, the shaft tunnel portal, and at least 1 location on the surface.~~

~~–(7) When a hoist house is provided, there shall be a second independent method of signaling, either audibly or visibly, to the hoist engineer from all landings in the shaft or slope.~~

~~–(8) A signal code for hoisting shall be posted prominently in the engine house and at all places where signals are given. The signal code shall be as prescribed in R 408.41001 et seq., construction safety standard, Part 10. Lifting and Digging Equipment.~~

(6) ~~(9)~~ If a gassy condition exists, then all phones that are located within the tunnel shall conform to the United States Bureau of Mines Schedule 9b, Part 23 of the provisions of 30 C.F.R. Parts 1-199, Mineral Resources, revised July 1, 2000, which is adopted by reference in R 408.41410. The telephone or other signal communication systems shall be independent of the tunnel power supply and shall be installed so that the use or disruption of any one phone or signal location will not disrupt the operation of the system from any other location.

#### R 408.41465 Protective clothing or equipment.

Rule 1465. ~~(1) Protective clothing or equipment shall be required to be used as prescribed in R 408.40601 et seq., construction safety standard, Part 6. Personal Protective Equipment.~~

~~–(2) An employee working in a wet shaft, tunnel, or caisson shall wear safety toe rubber boots which have flat gripper-type soles and which are provided by the employer, at no expense to the employee.~~

~~–(3) An employee working in a shaft, tunnel, or caisson shall wear a protective helmet, which shall be provided for and as prescribed in R 408.40601 et seq., construction safety standard, Part 6. Personal Protective Equipment.~~

#### R 408.41466 Electrical requirements.

Rule 1466. (1) A power line shall be well separated or insulated from water lines, telephone lines, and air lines.

(2) Lighting circuits shall be located so that the movement of personnel or equipment will not damage the circuits or disrupt service.

(3) Electrical equipment and wiring shall be installed and maintained as prescribed in the provisions of subparts F to J of part 77 of the provisions of 30 C.F.R. Parts 1-199, Mineral Resources, revised July 1, 2000, which is adopted by reference in R 408.41410. The provisions of subparts F to J are adopted by reference with the following amendments:

(a) Article 305-1(a) is amended to read as follows: Temporary electrical power and lighting installations shall be permitted during the period of construction, remodeling, maintenance, repair, or demolition of buildings, structures, equipment, or similar activities which are located at ground level and which are part of facilities used for the construction of tunnels, shafts, and cofferdams.

(b) Article 310-15, is amended to read as follows: The maximum continuous ampacities for copper, aluminum, and copper-clad aluminum conductors shall be as specified in table 310-16 to 310-19 and accompanying notes 1 to 12. Power and lighting circuits may be loaded to the maximum design temperatures of the wire or cable insulation under the following conditions:

(i) A means shall be provided to disconnect the load if the feeder cable exceeds design temperature by more than 10% for 1 minute.

(ii) Power cable shall have a grounding and a pilot wire that conforms to the Insulated Power Cable Engineers Association (IPCEA) type G grounded cable (G-GC) or equivalent.

(iii) Power cable shall have a loose connector emergency shutdown ability.

(iv) Power cable shall have a ground fault emergency shutdown ability.

(v) Power cable shall have an arc between phases emergency shutdown ability.

(c) Oil filled transformers shall not be used underground unless they are located in a fire-resistant enclosure suitably vented to the outside and surrounded by a dike to retain the contents of the transformer in the event of rupture.

(4) All electrical power circuits that supply portable or hand-held tools, lights, or equipment shall be protected by approved ground-fault interrupters as prescribed in ~~R 408.41701 et seq.~~, construction safety standard, Part 17. Electrical Installations, **which is referenced in R 408.41410.**

(5) The regular system of illumination shall be supplemented by lighting that can be activated upon the failure of the regular system. Supplemental lighting, such as approved flashlights or lanterns, shall be sufficient to allow all employees to evacuate the tunnel.

~~–(6) A tunnel excavating machine that is built and designed after 1977 shall conform to the provisions of the National Fire Protection Association Standard NFPA 70: Standard for National Electrical Code, 1999 Edition, which is adopted by reference in R 408.41410.~~

~~–(7) A tunnel excavating machine that is designed and built after 1977 shall be equipped with a limit switch to prevent the accidental rotation of the main structure of the machine.~~

(6) (8) Electrical installation in underground areas where oil, grease, or diesel fuel are stored shall be used only for lighting fixtures.

(7) (9) Lighting fixtures in storage areas, or within 25 feet (7.62 meters) of underground areas where oil, grease, or diesel fuel are stored, shall be approved for class I, division 2 locations, as prescribed in ~~R 408.41701 et seq.~~, construction safety standard Part 17. Electrical Installation, **which is referenced in R 408.41410.**

#### R 408.41467 Fire prevention and protection.

Rule 1467. (1) The applicable requirements for fire prevention and protection as prescribed in R 408.41801 et seq., construction safety standard Part 18. Fire Prevention and Protection shall be complied with in all tunnel and shaft operations.

(2) Smoking and open flames are prohibited. An employer is responsible for collecting all personal sources of ignition, such as matches and lighters, from all persons. Welding and cutting, where required, shall be in compliance with the provisions of subrules (9), (10), (11), **and** (12), ~~and (13)~~ of this rule. A fire watch shall be maintained when hot work is performed.

(3) Not more than a 1-day supply of diesel fuel shall be stored in a tunnel or shaft. Gasoline or liquefied petroleum gas shall not be taken in a tunnel or shaft. Acetylene or methylacetylene propadiene stabilized gas may be used underground solely for welding, cutting, and other hot work and only as prescribed in ~~R 408.40701 et seq.~~, construction safety standard Part 7. Welding and Cutting, **which is referenced in R 408.41410.**



(4) The piping of diesel fuel from the surface to an underground location is permitted only if all of the following provisions are complied with:

(a) Diesel fuel is contained at the surface in a tank with a maximum capacity that is not more than the amount of fuel required to supply, for a 24-hour period, the equipment that is serviced by the underground fueling station.

(b) The surface tank is connected to the underground fueling station of an acceptable pipe or hose system that is controlled at the surface by a valve and at the shaft bottom by a hose nozzle.

(c) The pipe is empty at all times, except when transferring diesel fuel from the surface tank to a piece of equipment in use underground.

(d) Hoisting operations in the shaft are suspended during refueling operations if the supply piping in the shaft is not protected from damage.

(e) Acetylene, liquefied petroleum gas, and methylacetylene propadiene stabilized gas may be used underground only for welding, cutting, and other hot work and only in accordance with the provisions of subrules (9), (10), (11), **and** (12), ~~and (13)~~ of this rule. Not more than the amount of fuel gas and oxygen cylinders necessary to perform welding, cutting, or other hot work during the next 24-hour period shall be permitted underground.

(f) Not more than the amount of fuel gas and oxygen cylinders necessary to perform welding, cutting, or other hot work during the next 24-hour period shall be permitted underground.

(5) Leaks and spills of flammable or combustible fluids shall be cleaned up immediately.

(6) Oil, grease, or diesel fuel that is stored in a tunnel or shaft shall be kept in tightly sealed containers in fire-resistant areas at safe distances from explosives, magazines, electrical installations, and shaft stations. Electrical installations in underground areas where oil, grease, or diesel fuel are stored shall be used only for lighting fixtures. Lighting fixtures in storage areas, or within 25 feet (7.62 meters) of underground areas where oil, grease, or diesel fuel are stored, shall be approved for class I, division 2 locations.

(7) Fire-resistant hydraulic fluids shall be used in hydraulically actuated underground machinery and equipment. For the purpose of this requirement, a fire-resistant hydraulic fluid means any liquid which has a flash point above 200 degrees Fahrenheit and which has a vapor pressure of not more than 40 p.s.i. (absolute) at 100 degrees Fahrenheit.

(8) An approved 4A:40B:C rating fire extinguisher or equivalent protection shall be provided at the drive pulley of an underground conveyor and at 300-foot intervals along the belt. A minimum of 2 2A-10BC approved fire extinguishers shall be provided at the tunneling machine.

~~–(9) A pressurized tunnel in which combustible materials are stored or used shall be equipped with a 2-inch minimum diameter water line with an outlet that is connected to a 1 1/2-inch nominal diameter fire hose which is capable of reaching the combustible materials. The water supply shall be of sufficient volume and pressure to efficiently operate the type of nozzle used on the fire hose for a minimum of 1 minute. Fire extinguishers may be substituted for the water and fire hose if they meet the requirements for the water service.~~

~~(9)~~ (10) All of the following are additional requirements for gassy operations:

(a) Only acceptable equipment, maintained in suitable condition, shall be used in gassy operations.

(b) Mobile diesel-powered equipment used in gassy operations shall be either approved as prescribed in the requirements of 30 C.F.R. Part 36, Mineral Resources, revised July 1, 2000, which is adopted by reference in R 408.41410 or shall be demonstrated by the employer to be fully equivalent to the Mine Safety and Health Administration approved equipment and shall be operated in accordance with that part.

(c) Each entrance to a gassy operation shall be prominently posted with signs notifying all entrants of the gassy classification.

~~(11) A minimum of 1 approved 2A-10BC fire extinguisher shall be provided for each electrical, diesel, or hydraulic powered machine used in a tunnel or shaft.~~

**(10) Fire-resistant hydraulic fluids shall be used in hydraulically-actuated underground machinery and equipment unless such equipment is protected by a fire suppression system or by multipurpose fire extinguisher or fire extinguishers rated at of sufficient capacity for the type and size of hydraulic equipment involved, but rated at least 4A:40B:C.**

~~(11) (12)~~ A noncombustible barrier shall be installed below welding or burning operations.

~~(12) (13)~~ In an underground operation, local gas checks shall be made before and during a welding or cutting operation and during a drilling operation that would penetrate the tunnel.

~~(14) If more than .25% of methane by volume or 5% of the LEL, lower explosive limit, of a flammable gas or petroleum vapor is detected, then the welding, cutting, heating, or drilling operation shall cease until the hazard has been eliminated.~~

**(13) Whenever 5% or more of the lower explosive limit for methane or other flammable gases is detected in any underground work area or in the air return, steps shall be taken to increase ventilation air volume or otherwise control the gas concentration, unless the employer is operating in accordance with the potentially gassy or gassy operation requirements. Such additional ventilation controls may be discontinued when gas concentrations are reduced below 5% of the lower explosive limit, but shall be reinstituted whenever the 5% level is exceeded.**

**(14) Whenever 10% or more of the lower explosive limit for methane or other flammable gases is detected in the vicinity of welding, cutting, or other hot work, such work shall be suspended until the concentration of such flammable gas is reduced to less than 10% of the lower explosive limit.**

(15) A fire watch shall be maintained around welding and cutting operations until all possibility of fire is eliminated. The fire watch shall be provided with a minimum of 1 approved 2A-10BC fire extinguisher.

(16) Flammable materials or supplies, other than those used during 1 shift, shall not be stored within 100 feet (30.48 meters) of any tunnel or shaft opening. If this is not feasible because of space limitations on the jobsite, then such materials may be located within the 100 foot limit, if both of the following provisions are complied with:

(a) The materials are located as far as practicable from the opening.

(b) A fire resistant barrier of not less than a 1-hour rating is placed between the stored material and the opening or additional precautions are taken that will protect the materials from ignition sources.

~~(17) A head frame shall be constructed of steel or other fire resistant material. A hoist house and other temporary surface building or structures within 100 feet of the shaft, caisson, or tunnel opening shall be built of fire-resistant materials that have a fire resistance rating of not less than 1 hour.~~

R 408.41468 ~~Guards for power transmissions and hot surfaces.~~ **Rescinded.**

~~Rule 1468. (1) A means of power transmission, such as, but not limited to, gears, pulleys, sprockets, belts, chains, and shafts which are exposed to contact by an employee shall be guarded.~~

~~(2) The exhaust pipe of an internal combustion engine shall be guarded to prevent contact by an employee with the hot surface.~~

R 408.41472 Shafts; supports; inspections; lifelines.

Rule 1472. (1) A shaft that an employee is required to enter shall be provided with steel casing, concrete pipe, timber, or other material that is strong enough to support the surrounding earth.

~~–(2) For rescue operations, a lifeline shall be securely fastened to a safety harness on each employee who enters a shaft that is less than 4 feet in diameter. The lifeline and safety harness shall be provided as prescribed in R 408.44501 et seq., construction safety standard Part 45. Fall Protection.~~

(2) (3) A shaft that is more than 5 feet in depth shall be braced to support the surrounding earth. The bracing shall be provided the full depth of the shaft, or, if rock is encountered, to not less than 5 feet into solid rock, and shall extend not less than 1 foot above the ground level.

(3) (4) After a blasting operation, the bracing shall be inspected. If the bracing is found to be unsafe, then corrections shall be made before the shift operations are continued.

(4) (5) A shaft or caisson shall be protected with a guardrail system as prescribed in ~~R 408.44501 et seq.~~, construction safety standard Part 45. Fall Protection, **which is referenced in R 408.41410**, or barricaded as prescribed in ~~R 408.42201 et seq.~~, construction safety standard Part 22. Signals, Signs, Tags, and Barricades, **which is referenced in R 408.41410**. A gate opening into the shaft shall be provided and shall be closed at all times, except when necessary to enter or leave the shaft or caisson.

R 408.41475 Haulage; inspection; braking; riding.

Rule 1475. (1) Haulage equipment that is to be used during a shift shall be inspected by a qualified person before the start of the shift. Known defects that affect the safety of employees shall be corrected before the equipment is used.

~~–(2) The roadbed, rails, joints, switches, frogs, and other elements of the track of a haulage road shall be constructed, installed, and maintained in a manner that is consistent with the speed and type of the haulage operations to be conducted.~~

~~–(3) A track switch shall be provided with a locking or spring-loaded thrown bridle bar and guardrail. The switch throw, where possible, shall be placed on the clearance side, and the switch throw shall operate parallel to the haulage road.~~

(2) (4) A powered locomotive or other mobile equipment shall be provided with suitable brakes, an audible warning device for use by the operator as needed, and lights at both ends.

(3) (5) Powered mobile haulage equipment that is subject to falling materials shall be equipped with a cab, canopy, or other protective device that is capable of protecting the operator from shifting or falling materials. For cabs where glazing is used, the glass shall be safety glass, or its equivalent, and shall be maintained and cleaned so that vision is not obstructed.

(4) (6) Powered mobile equipment shall not be left unattended unless the power is off, all operating controls are in the neutral position, and the brakes are set or other equivalent precautions are taken to prevent rolling. The operating controls shall be designed to automatically return to a neutral position or shall be equipped with a deadman control.

~~–(7) A trolley wire shall be protected from contact with employees. Energized rails shall not be used, except when used as a ground return for a trolley wire. If rails serve as a return for a trolley circuit, then both rails shall be bonded at every joint and cross bonded every 200 feet (60.96 meters).~~

(5) (8) Backstops or automatic braking shall be installed on an inclined conveyor to prevent the conveyor from running out of control and creating a hazard for the employee.

(6) (9) An employee shall not ride on ~~any~~ **either** of the following unless specifically designed or adapted for transporting employees:

(a) A power-driven chain, belt, or bucket conveyor.

~~–(b) A dipper.~~

~~–(c) A shovel bucket.~~

~~–(d) Forks.~~

~~–(e) A clamshell.~~

~~–(f) The bed of a dump truck.~~

(b) ~~(g)~~ Haulage equipment. An employee shall not ride haulage equipment unless it is equipped with seating for each passenger and protects passengers from being struck, crushed, or caught between other equipment or surfaces.

(7) ~~(10)~~ An employer shall not use an endless belt-type man lift in underground construction.

(8) ~~(11)~~ Cars that are dumped by hand shall be provided with tie-down chains or dumper blocks to prevent the cars from overturning.

(9) ~~(12)~~ A rocker bottom or bottom-dump car shall be equipped with positive-locking devices.

(10) ~~(13)~~ Equipment that is to be hauled shall be loaded or protected so as to prevent sliding or spillage.

(11) ~~(14)~~ Parked rail haulage equipment shall be chocked or chained if subject to accidental movement.

(12) ~~(15)~~ Berms, bumper blocks, safety hooks, or similar means shall be provided to prevent overtravel or overturning at dumping locations and, where necessary, at track dead ends.

(13) ~~(16)~~ Supplies, materials, and tools, other than small hand tools shall not be transported with employees in the same car and shall not be transported on top of a locomotive.

~~–(17) A refuge station shall be provided not more than every 300 feet where a clearance of 2 feet from moving equipment cannot be provided for employees unless the employees are prohibited from walking the haulage route during movement of a haulage train along the route.~~

(14) ~~(18)~~ A train that is used on an incline which would cause the cars to run out of control shall, in addition to couplings, have safety chains, or the equivalent, to connect the cars and the power haulage equipment in a train. The safety chains or other connections shall be capable of maintaining connection between cars in the event of either coupler disconnect, failure, or breakage.

(15) ~~(19)~~ When an employee is being transported in a train, the operator shall have clear vision beyond the forward end of the train for safe operation.

(16) ~~(20)~~ Mobile equipment, including rail-mounted equipment, shall be stopped for manual connecting or service work.

(17) ~~(21)~~ Employees shall not reach between moving cars during coupling operations.

(18) ~~(22)~~ Couplings shall not be aligned, shifted, or cleaned when cars or locomotives are moving.

(19) ~~(23)~~ Where switching facilities are available, occupied personnel cars shall be pulled, not pushed. If occupied personnel cars must be pushed and the visibility of the track is hampered, then a qualified person shall be stationed in the lead car to give signals to the locomotive operator.

#### **R 408.41475a Hoisting unique to underground construction.**

**Rule 1475a. Except as modified by this standard, employers shall comply with all of the following:**

(a) **The requirements of construction safety standard Part 10. Lifting and Digging Equipment, which is referenced in R 408.41410, except that the limitation in R 408.41021a does not apply to routine access of employees to an underground worksite via a shaft.**

(b) **Ensure that material hoists comply with R 408.41065a, R 408.41070b, R 408.41074a, and R 408.41075a of construction safety standard Part 10. Lifting and Digging Equipment, which is referenced in R 408.41410.**

(c) **Ensure that personnel hoists comply with the personnel hoists requirements of R 408.41065a, R 408.41072a, R 408.41074a, and R 408.41075a and the elevator requirements of R 408.41065a, R 408.41074a, R 408.41075a of construction safety standard Part 10. Lifting and Digging Equipment, which is referenced in R 408.41410.**

R 408.41476 ~~Stationary hoists generally~~ **General requirements for cranes and hoists.**

~~Rule 1476. (1) To ensure suitable operation and safe condition of all functions and safety devices, each hoist assembly shall be inspected and load tested to 100% of its rated capacity at the time of installation, after any repairs or alterations affecting its structural integrity, after the operation of any safety device, and annually when in use. The employer shall prepare a certification record that includes all of the following information:~~

- ~~–(a) The date each inspection and load test was performed.~~
- ~~–(b) The signature of the person who performed the inspection and test.~~
- ~~–(c) A serial number or other identifier for the hoist that was inspected and tested.~~

~~The most recent certification record shall be maintained on file until completion of the project.~~

**(1) Each safety device shall be checked by a competent person at least weekly during hoist use to ensure suitable operation and safe condition.**

**(2) Before hoisting personnel or material, the operator shall perform a test run of any cage or skip whenever it has been out of service for one complete shift, and whenever the assembly or components have been repaired or adjusted.**

~~–(2) A qualified person who shall be designated by the employer, shall visually inspect the stationary hoist assembly, anchorages, and hoisting rope at the beginning of each shift.~~

~~–(3) All unsafe conditions that are revealed by tests, checks, or inspections shall be corrected before use of the equipment.~~

**(3) (4) An employee shall not be permitted to ride on a material hoist, unless the hoist is in compliance with the requirements of R 408.41478(1).**

**(4) (5) Before maintenance, repairs, or other work is commenced in the shaft that is served by a hoist, the hoist operator shall be informed of the maintenance, repairs, or other work and given suitable instructions. A sign warning that work is being done in the shaft shall be installed at the shaft collar, at the operator's station, and at each underground landing. A notice shall be installed at the top of the shaft and at the operator controls and shall state that work is being done in the shaft.**

**(5) (6) Employees who are at the bottom of an excavated shaft shall be protected from the movement of equipment, tools, or materials overhead or the shaft shall be vacated during the operations that may be hazardous to persons below.**

**(6) (7) If an employee is raised or lowered in a shaft, then all other hoisting operations in the shaft shall be stopped until the employee has disembarked at the bottom or top of the shaft.**

**(7) (8) When a stationary hoist is being used, the drum-operating lever shall be of a type that returns automatically to the "stop" position when the operator's hand is removed, unless, as a substitute, the throttle that controls the drum speed automatically stops the drum and slows the engine to idling speed when the throttle is released.**

**(8) (9) Only wire rope shall be used for hoisting and it shall be properly secured at both the drum and cage or skip ends. When the hoist is in use, not less than 2 full turns shall remain on the conventional drum hoist to protect the end that fastens at the drum from an overload.**

~~–(10) Wire rope shall not be used when any of the following conditions exist:~~

- ~~–(a) Six randomly distributed broken wires in 1 rope lay, 3 broken wires in 1 strand in 1 lay, or 1 valley break. A valley break is a wire break that occurs between 2 adjacent strands.~~
- ~~–(b) Abrasion, scrubbing, flattening, peening, or any severe change that causes the loss of more than 1/3 of the original diameter of the outside wires in any given area.~~
- ~~–(c) Evidence of any heat damage or any damage that is caused by contact with electrical wires or marked corrosion of the rope.~~

~~-(d) Reduction from nominal diameter of more than 3/64 of an inch for diameters up to and including 3/4 of an inch, 1/16 of an inch for diameters 7/8 to 1 1/8 inches, and 3/32 of an inch for diameters 1 1/4 to 1 1/2 inches.~~

~~-(11) A wire rope that is used for hoisting shall be continuous and shall not have a knot or splice. The hoisting rope shall not be placed around the load.~~

~~(9) (12)~~ The connection between the hoisting rope and the cage or skip shall be of a type to prevent the cage from spinning.

~~(10) (13)~~ All hoists shall be equipped with a landing level indicator at the operator's station. **Marking the hoist rope does not satisfy this requirement.**

~~(11) (14)~~ Limit switches shall be provided to eliminate 2 blocking. **Limit switches shall be used only to limit travel of loads when operational controls malfunction and shall not be used as a substitute for other operational controls.**

~~(12) (15)~~ A warning light, suitably located to warn employees at the shaft bottom and subsurface shaft entrances, shall flash if a load is above the shaft bottom or subsurface entrances or if the load is being moved in the shaft. This subrule does not apply to fully enclosed hoistways.

~~(13) (16)~~ If a hoistway is not fully enclosed and employees are at the shaft bottom, then conveyances or equipment shall be stopped not less than 15 feet above the bottom of the shaft and held there until the signalperson at the bottom of the shaft directs the operator to continue lowering the load, except that the load may be lowered without stopping if the load or conveyance is within full view of a bottom signalperson who is in constant voice communication with the operator.

~~(14) (17)~~ Cage, skips, and load connections to the hoist rope shall be made so that the force of the hoist pull, vibration, misalignment, release of lift force, or impact will not disengage the connection. Moused or latched open-throat hooks do not meet this requirement.

~~(15) (18)~~ When using wire rope wedge sockets, means shall be provided to prevent wedge escapement and to ensure that the wedge is properly seated.

~~(16) (19)~~ Hoists shall be designed so that the load hoist-drum is powered in both directions of rotation and so that the brakes are automatically applied upon power release or failure.

~~(17) (20)~~ If a crane is used for both personnel hoisting and material hoisting, then the load and speed ratings for personnel and for materials shall be assigned to the equipment.

~~(18) (21)~~ Employees shall not ride on top of any cage, skip, or bucket, except when necessary to perform inspection or maintenance of the hoisting system, in which case they shall be protected by a body belt/harness fall prevention system.

**(19) Material, tools, and supplies being raised or lowered, whether within a cage or otherwise, shall be secured or stacked in a manner to prevent the load from shifting, snagging, or falling into the shaft.**

**(20) Any connection between the hoisting rope and the cage or skip shall be compatible with the type of wire rope used for hoisting.**

**(21) Spin-type connections, where used, shall be maintained in a clean condition and protected from foreign matter that could affect their operation.**

R 408.41477 ~~Stationary material hoists~~ **Additional requirements for hoists.**

Rule 1477. (1) A hoist used for raising or lowering materials in a shaft shall have a minimum factor of safety of 5, shall be designed and rated by a qualified engineer, and shall be constructed in accordance with the design. The design shall be constructed so that the hoist cannot exceed the maximum rated speed.

(2) The rated capacity of the hoist shall be posted at all working levels.

~~(3) Each hoist assembly shall be load tested to 200% of its rated capacity upon installation, after any repairs or alterations affecting its structural integrity or operation of safety devices, and every 6 months during use. A written record of each test shall be maintained for the duration of the project and shall be made available for inspection by authorized representatives of the director.~~ **To ensure suitable operation and safe condition of all functions and safety devices, each hoist assembly shall be inspected and load-tested to 100% of its rated capacity at the time of installation; after any repairs or alterations affecting its structural integrity; after the operation of any safety device; and annually when in use. The employer shall prepare a certification record which includes the date each inspection and load-test was performed; the signature of the person who performed the inspection and test; and a serial number or other identifier for the hoist that was inspected and tested. The most recent certification record shall be maintained on file until completion of the project.**

**(4) A qualified person who shall be designated by the employer, shall visually inspect the stationary hoist assembly, anchorages, and hoisting rope at the beginning of each shift.**

**(5) All unsafe conditions that are revealed by tests, checks, or inspections shall be corrected before use of the equipment.**

~~(6)~~ **(4) Hoist equipment and the operator shall be protected from inclement weather by a hoist house with a comfortable temperature maintained.**

~~(7)~~ **(5) Where glass is used in hoist house windows, the glass shall be safety glass or its equivalent.**

~~(8)~~ **(6) Hoist controls shall be arranged to make them operable from a single position of the operator. Hoist controls shall be arranged so that the operator can perform all operating cycle functions and reach the emergency power cutoff without having to reach beyond the operator's normal operating position.**

~~(9)~~ **(7) Controls for powered hoists shall be of the deadman-type with a non-locking switch or control.**

~~(8) A device to shut off the power shall be installed ahead of the operating control.~~

~~(9) A hoist machine that has cast metal parts shall be limited to 2,000 pounds single line pull.~~

~~(10)~~ **(10) All hoists shall be equipped with landing level indicators at the operator's station. Marking the hoist rope does not satisfy this requirement.**

~~(11) Material, tools, and supplies being raised or lowered, whether within a cage or otherwise, shall be secured or stacked in a manner to prevent the load from shifting, snagging, or falling into the shaft.~~

**(11) Material hoisting may be performed at speeds higher than the rated speed for personnel hoisting if the hoist and components have been designed for such higher speeds and if shaft conditions permit.**

**(12) Personnel and materials (other than small tools and supplies secured in a manner that will not create a hazard to employees) shall not be hoisted together in the same conveyance. However, if the operator is protected from the shifting of materials, then the operator may ride with materials in cages or skips which are designed to be controlled by an operator within the cage or skip.**

**(13) Line speed shall not exceed the design limitations of the systems.**

**(14) A fire extinguisher that is rated at least 2A:10B:C, multi-purpose, dry chemical, shall be mounted in each hoist house.**

**(15) Hoists shall be equipped with limit switches to prevent overtravel at the top and bottom of the hoistway.**

**(16) Hoist operators shall be provided with a closed-circuit voice communication system to each landing station, with speaker microphones located so that the operator can communicate with individual landing stations during hoist use.**

(17) When sinking shafts 75 feet (22.86 m) or less in depth, cages, skips, and buckets that may swing, bump, or snag against shaft sides or other structural protrusions shall be guided by fenders, rails, ropes, or a combination of those means.

(18) When sinking shafts more than 75 feet (22.86 m) in depth, all cages, skips, and buckets shall be rope or rail guided to within a rail length from the sinking operation.

(19) Cages, skips, and buckets in all completed shafts, or in all shafts being used as completed shafts, shall be rope or rail-guided for the full length of their travel.

(20) Wire rope used in load lines of material hoists shall be capable of supporting, without failure, at least five times the maximum intended load or the factor recommended by the rope manufacturer, whichever is greater. Refer to R 408.41072a(14)(d) of construction safety standard Part 10. Lifting and Digging Equipment, which is referenced in R 408.41410, for design factors for wire rope used in personnel hoists. The design factor shall be calculated by dividing the breaking strength of wire rope, as reported in the manufacturer's rating tables, by the total static load, including the weight of the wire rope in the shaft when fully extended.

#### **R 408.41477a Additional requirements for cranes.**

**Rule 1477a.** Cranes shall be equipped with a limit switch to prevent overtravel at the boom tip. Limit switches are to be used only to limit travel of loads when operational controls malfunction and shall not be used as a substitute for other operational controls.

#### **R 408.41478 ~~Personnel hoist~~ Additional requirements for personnel hoists.**

Rule 1478. (1) A personnel hoist shall be used to raise or lower an employee in a tunnel shaft or caisson. A crane may be used to raise or lower an employee, if the crane and the work platform are as prescribed in ~~R 408.41001 et seq.~~, construction safety standard Part 10. Lifting and Digging Equipment, **which is referenced in R 408.41410.** The hoist shall be in compliance with the provisions of 1967 PA 227, MCL 408.801 to **408.824 et seq.**, Bureau of Construction Codes, Elevator Safety Board, R 408.8511 to R 408.8524 which is referenced in R 408.41410. ~~During the excavation of a shaft or caisson, an employee may be raised or lowered on a work platform if the work platform meets the specifications of subrule (2) of this rule.~~

~~–(2) A work platform that is attached to the load line of a crane which is used to transport, raise, or lower employees shall be in compliance with all of the following provisions:~~

~~–(a) Be designed by a qualified person. All welding shall be in accordance with applicable American Welding Society standards. American Welding Society (AWS) Standard; IHS AWS-C AWS-Structural Welding Code, 2000 Edition, which is adopted by reference in R 408.41410.~~

~~–(b) Except for the guardrail system, be of welded mild steel construction that has a minimum safety factor of 5 times the maximum intended load.~~

~~–(c) Have continuous mild steel guardrails (toprails and midrails) and toeboards as prescribed in R 408.44501 et seq., construction safety standard Part 45. Fall Protection.~~

~~–(d) Have wood planking, steel plate, or grating that is bolted or welded to the bottom of the work platform.~~

~~–(e) Have a 4-point wire suspension system that utilizes wire which is not less than 1/2 of an inch in diameter. Each leg of the suspension system shall be independent wire rope that has hand-tucked eye splices or swedged fittings on each end. Wire rope clips shall not be used. The independent suspension system shall be attached to the work platform using proper size screw pin shackles.~~

~~–(f) Have each leg of the independent 4-point suspension system at a 30-degree angle from the vertical.~~



- ~~–(g) Be connected to the load line by means of a screw pin shackle or a gated hook. Both ends of a minimum 5/8-inch wire rope safety line shall be installed above the headache ball to a screw pin shackle and pass through the eyes of the work platform suspension system to prevent the platform from falling if disengaged from the gated hook. If a screw pin shackle is used in place of a gated hook, then the 5/8-inch wire rope safety line is not required.~~
- ~~–(h) Have overhead protection when there is an overhead hazard.~~
- ~~–(i) Have a permanently affixed sign that specifies the maximum number of passengers, the identification number, and the maximum intended load.~~
- ~~–(j) Be easily identifiable by high-visibility color or marking.~~
- ~~–(3) Before a work platform is used on a jobsite, it shall be load tested to 2 times the maximum intended load.~~
- ~~–(4) The work platform and the test load shall be raised and lowered to the maximum anticipated change of elevation.~~
- ~~–(5) A record of the load test shall be maintained on the jobsite.~~
- ~~–(6) Employees on the work platform shall be provided with, and be required to use, proper safety equipment as prescribed in R 408.44501 et seq., construction safety standard Part 45. Fall Protection. An employee shall wear a personal fall arrest system that has a lanyard affixed to the top rail of the steel guardrail system of the work platform. Standing on the guardrail system is prohibited.~~
- ~~–(7) Free spooling is prohibited when using a work platform to lower personnel. The maximum rate of travel shall be 100 feet per minute.~~
- (2) (8) All sides of personnel cages shall be enclosed by 1/2-inch (12.70 mm) wire mesh, which shall not be less than no. 14 gauge or its equivalent, to a height of not less than 6 feet (1.83 m). When the cage or skip is being used as a work platform, its sides may be reduced in height to 42 inches (1.07 m) when the conveyance is not in motion. All personnel cages shall be provided with a positive-locking door that only opens inward.
- ~~–(9) The rails on 1 side of personnel cages shall be removed and a chain shall be installed in place of the top rail to provide a door opening. The chain shall be securely fastened during all travel and only be opened during access to, or egress from, the work platform.~~
- ~~–(10) Only hand and portable powered tools shall be permitted on the work platform.~~
- (3) (11) Flammable or combustible liquids or gases shall not be permitted on the work platform if the platform is occupied by an employee or employees.
- ~~–(12) Platforms shall not be used during adverse weather conditions that could affect the safety of employees.~~
- ~~–(13) There shall be a communication system, which may be a hand signal, a telephone wire, or a selective frequency radio system, between employees on the work platform and the operator of the crane. The system shall be in compliance with both of the following provisions:~~
  - ~~–(a) If hand signals are being employed and employees are being raised, lowered, or positioned and are not in continuous sight of the operator of the crane at all times, then the employer shall designate an employee, who shall not be on the work platform, to be the signalperson.~~
  - ~~–(b) The signalperson shall not be assigned any other duties while the work platform is in a suspended position with employees on it and shall remain in a position so that both the work platform and the operator can be seen at all times.~~
- ~~–(14) The crane shall be inspected daily before being used with a work platform. All of the following components shall be inspected:~~
  - ~~–(a) The wire rope.~~
  - ~~–(b) The hook.~~
  - ~~–(c) The brakes.~~

- ~~–(d) The boom.~~
- ~~–(e) Any other mechanical and rigging equipment that is vital to the safety of the operation.~~
- ~~–(15) Any structural or mechanical defect that could adversely affect the safe operation of the crane shall be corrected before an operation that utilizes a work platform begins.~~
- ~~–(16) Inspections shall be logged and the records maintained on the jobsite.~~
- ~~–(17) The operator of a crane that is used to raise or lower a work platform shall be authorized by the employer and properly qualified to perform the operation.~~
- ~~–(18) A qualified crane operator shall not be authorized to raise or lower a platform unless the operator has at least 8 hours of experience in the operation of the specific crane or on a crane of the same type and design.~~
- ~~–(19) A crane that is used to raise or lower a work platform shall not be within 25 feet of an overhead energized power line at the closest point of contact.~~
- ~~–(20) When a crane is being used with a work platform, another load shall not be attached to the work platform.~~
- ~~–(21) Only a crane that is equipped with a boom that has a power control lowering system shall be allowed to raise or lower a work platform. The crane boom shall not be live.~~
- ~~–(22) The operator of the crane shall remain at the controls with the engine running when an occupied work platform is in a suspended position.~~
- ~~–(23) The load line of a crane that is used to raise or lower a work platform shall be equipped with a swivel to prevent any rotation of the work platform. The use of nonspin wire rope is prohibited.~~
- ~~–(24) Neither the load nor the boom shall be lowered below the point where less than 4 full wraps of rope remain on their respective drums.~~
- ~~–(25) A crawler crane that is used to raise or lower a work platform shall be set on a firm base and chocked to prevent movement.~~
- ~~–(26) A crane shall not travel in any direction when personnel are on the work platform.~~
- ~~–(27) A crane that is equipped with outriggers shall have the beams fully extended, the jacks lowered, and each float on a firm base when the work platform is in use.~~

**(4) Hoist drum systems shall be equipped with at least 2 means of stopping the load, each of which shall be capable of stopping and holding 150 % of the hoist's rated line pull. A broken-rope safety, safety catch, or arrestment device is not a permissible means of stopping.**

**(5) The operator shall remain within sight and sound of the signals at the operator's station.**

**(6) All personnel cages shall be provided with a protective canopy. The canopy shall be made of steel plate, at least 8/16-inch (4.763 mm) in thickness, or material of equivalent strength and impact resistance. The canopy shall be sloped to the outside, and so designed that a section may be readily pushed upward to afford emergency egress. The canopy shall cover the top in such a manner as to protect those inside from objects falling in the shaft.**

**(7) Personnel platforms operating on guide rails or guide ropes shall be equipped with broken-rope safety devices, safety catches or arrestment devices that will stop and hold 150 % of the weight of the personnel platform and its maximum rated load.**

**(8) During sinking operations in shafts where guides and safeties are not yet used, the travel speed of the personnel platform shall not exceed 200 feet (60.96 m) per minute. Governor controls set for 200 feet (60.96 m) per minute shall be installed in the control system and shall be used during personnel hoisting.**

**(9) The personnel platform may travel over the controlled length of the hoistway at rated speeds up to 600 feet (182.88 m) per minute during sinking operations in shafts where guides and safeties are used.**

**(10) The personnel platform may travel at rated speeds greater than 600 feet (182.88m) per minute in completed shafts.**

R 408.41482 Caisson excavation; employee protection.

Rule 1482. (1) An employee who enters a caisson shall be protected by a steel or concrete casing designed by a qualified employee and approved by a registered engineer.

(2) A copy of the design specifications of the casing shall be maintained at the jobsite.

(3) In the case of belled-bottom caissons, the steel or concrete casing shall be provided for the full depth of that part of each caisson hole that is above the bell.

(4) An employee shall not be permitted to work below the casing in running or unstable soil.

(5) The steel or concrete caisson shall extend not less than 12 inches above the ground line.

(6) Each employee who is required to enter a caisson excavation shall have a lanyard attached to a body harness and to the load line of a crane. The attachment to the load line shall utilize a screwpin shackle.

(7) An employee whose lanyard is attached to the load line of a crane shall be permitted to be lowered to the bottom of the caisson in the muck bucket.

(8) The maximum rate of travel when lowering an employee shall be 100 feet per minute. Free-spooling when lowering employees into a caisson is prohibited.

(9) All employees shall be removed from the caisson when material is being hoisted from the caisson.

(10) A secondary mechanical means that is capable of removing an employee from the caisson shall be readily available in case the crane performing the caisson work breaks down.

(11) A top person shall be stationed at the caisson and shall constantly monitor any employees who are in the caisson.

(12) A positive means of communication shall be maintained between employees working in the caisson and the top person.

(13) The air quality of a caisson shall be tested and maintained in accordance with ~~R 325.50211 to R 325.50214 of the Michigan Administrative Code~~ **occupational health standard Part 665 underground construction, caissons, cofferdams, and compressed air, which is referenced in R 408.41410.**

(14) Where space permits, a caisson shall have a stairway for its entire height and shall have landing platforms not more than 20 feet apart. Where this is impracticable, a ladder shall be installed and landing platforms shall be located not more than 20 feet apart to break the climb.

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**CORRECTION OF OBVIOUS  
ERRORS IN PUBLICATION**

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*MCL 24.256(1) states in part:*

*“Sec. 56. (1) The Office of Regulatory Reform shall perform the editorial work for the Michigan register and the Michigan Administrative Code and its annual supplement. The classification, arrangement, numbering, and indexing of rules shall be under the ownership and control of the Office of Regulatory Reform, shall be uniform, and shall conform as nearly as practicable to the classification, arrangement, numbering, and indexing of the compiled laws. The Office of Regulatory Reform may correct in the publications obvious errors in rules when requested by the promulgating agency to do so...”*

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**CORRECTION OF OBVIOUS  
ERRORS IN PUBLICATION**

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Mr. Rob Nederhood  
Office of Regulatory Reinvention  
George W. Romney Building – 4<sup>th</sup> Floor  
111 S. Capitol Avenue  
Lansing, MI 48933

Dear Mr. Nederhood:

We currently have a Rule Set (Regulation 569) that was last modified in 1997; however, we need to make a correction to an obvious error under MCL 24.256(1), thereby obviating the need for formal and costly rulemaking.

**Rule Set (Regulation 569 Smoked Fish)**

Regulation 569 establishes rules for the production of smoked fish and requirements for manufacturers to be licensed.

Currently, the authority cited for the basis of the rules' promulgation states "By authority conferred on the Department of Agriculture by section 23 of act No. 39 of the Public Acts of 1969, as amended, being S289.723 of the Michigan Compiled Laws." This cited authority is the State Maritime Academy Act, which established a state maritime academy at northwestern Michigan college to provide for the training of merchant marine officers. This citation is incorrect. Regulation 569's actual promulgation authority is found under 39 PA 1968, the Michigan Food Law of 1968.

39 PA 1968 was subsequently repealed via 92 PA 2000 (MCL 289.1101 through 289.8111). Under section 31(2) of the Administrative Procedures Act of 1969, 306 PA 1969 (MCL 24.231), when the statutory authority to promulgate a rule is repealed by a statute providing substantially similar rule making authority, the promulgated rule remains valid and in effect until amended or rescinded by the agency or the legislature. Regulation 569 was promulgated under the Food Law of 1968, which was repealed and replaced by the Food Law of 2000. The Food Law of 2000 provides substantially similar rule making authority to the Department of Agriculture. Therefore, under the terms of 306 PA 1969, Regulation 569 remains a valid regulation.

Furthermore, the Food Law of 2000 explicitly refers to Regulation 569 in its statutory text and thus it can be assumed that the legislature intended Regulation 569 to remain in effect following the repeal of 39 PA 1968.

Additionally, the Department of Agriculture's name was changed through Governor Snyder's Executive Order 2011-2 and is now known as the Department of Agriculture and Rural Development. This executive order also transferred the powers granted to the Department of Agriculture to the new Department of Agriculture and Rural

Development, thereby providing the renamed agency with the same powers granted to the Department of Agriculture in both the Food Laws of 1968 and 2000.

Regulation 569 should be amended to correct the obvious error to read: By authority conferred on the Department of Agriculture by section 23 of act No. 39 of the Public Acts of 1968, as amended, being S289.723 of the Michigan Compiled Laws.

We would ask that you make this correction under MCL 24.256 and publish it in the Michigan Register and the Michigan Administrative Code.

If you have any questions about this transmittal, please contact me at 241-4085.

Sincerely,

Bradley N. Deacon  
Emergency Management and  
Administrative Law Coordinator

# Memorandum

**DATE:** January 28, 2013

**TO:** Brad Deacon, Regulatory Affairs Officer  
Department of Agriculture and Rural Developments

**FROM:** Deidre O’Berry, Office of Regulatory Reinvention  
Licensing and Regulatory Affairs

**SUBJECT:** Correction of obvious error – “Regulation 569 Smoked Fish”

We have approved your request to correct an obvious error in Regulation 569 Smoked Fish, as published in the Michigan Administrative Code.

The Office of Regulatory Reinvention hereby approves your request to amend the Michigan Administrative Code under MCL 24.256(1) of the Administrative Procedures Act.

**Regulation 569 Smoked Fish:**

“By authority conferred on the Department of Agriculture by section 23 of act No. 39 of the Public Acts of 1968, as amended, being S289.723 of the Michigan Compiled Laws.”

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**EXECUTIVE ORDERS  
AND  
EXECUTIVE REORGANIZATION ORDERS**

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*MCL 24.208 states in part:*

*“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

*(a) Executive orders and executive reorganization orders.”*



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**EXECUTIVE ORDERS**

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**EXECUTIVE ORDER**

**No. 2013-1**

**EXECUTIVE REORGANIZATION  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

**CREATION OF THE  
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, Section 8 of Article V of the Michigan Constitution of 1963 provides that each principal department shall be under the supervision of the Governor unless otherwise provided by the Constitution; and

WHEREAS, there is a continued need to reorganize functions among state departments to ensure efficient administration; and

WHEREAS, the insurance and financial services industries are significant components of our state economy, directly employing over 150,000 Michigan residents and generating more than \$9 billion in annual payroll; and

WHEREAS, Michigan is home to over 300 state banks and credit unions and 149 insurance companies are domiciled here. Michigan serves as a port of entry and chief U.S. regulator for 5 Canadian insurance companies, and nearly 1,500 foreign insurance companies also do business in this state; and

WHEREAS, it is an important function of state government to protect consumers of insurance and financial services products through public information and effective regulation; and

WHEREAS, the world of insurance and financial services is rapidly changing, health insurance is becoming more accessible, and digital banking is revolutionizing the way that money is used; and

WHEREAS, consolidating all functions related to the regulation of insurance and financial services into a new Department of Insurance and Financial Services will provide a focal point of consumer protection, enable efficient and effective regulation, and position the insurance and financial services sector of Michigan's economy for growth;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

## **I. DEFINITIONS**

As used in this Order:

- A. “Autism Coverage Reimbursement Program” means the program created under the Autism Coverage Reimbursement Act, 2012 PA 101, MCL 550.1831 to 1841.
- B. “Commissioner” means the head of the Office of Financial and Insurance Regulation.
- C. “Department of Licensing and Regulatory Affairs” means the principal department of state government created as the Department of Commerce under Section 225 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.325, renamed the Department of Consumer and Industry Services under Executive Order 1996-2, MCL 445.2001, renamed the Department of Labor and Economic Growth under Executive Order 2003-18, MCL 445.2011, and renamed the Department of Licensing and Regulatory Affairs under Executive Order 2011-4, MCL 445.2030.
- D. “Department of Insurance and Financial Services” means the principal department of state government created under Section II of this Order.
- E. “Office of Financial and Insurance Regulation” means the Office of Financial and Insurance Services created by Executive Order 2000-4, MCL 445.2003, renamed the Office of Financial and Insurance Regulation under Executive Order 2008-2, MCL 445.2005, and reorganized under Executive Order 2012-13.
- F. “State Budget Director” means the individual appointed by the Governor pursuant to Section 321 of The Management Budget Act, 1984 PA 431, MCL 18.1321.
- G. “Type III transfer” means that phrase as defined in Section 3 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103.

## **II. CREATION OF THE DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

- A. The Department of Insurance and Financial Services is created as a principal department in the executive branch of state government. The Department shall regulate the insurance and financial services industries in this state.
- B. The Department shall be headed by a Director of Insurance and Financial Services who shall be appointed by the Governor, with the advice and consent of the Michigan Senate commencing on the date of this Order. The individual appointed as the Director shall serve as a member of the Governor's Cabinet.
- C. The position of the Commissioner of the Office of Financial and Insurance Regulation as a member or chairperson of all of the following boards or commissions is transferred to the Director of the Department of Insurance and Financial Services:

- a. State Employees Retirement System Board. MCL 38.3(1)(a).
- b. Interstate Insurance Product Regulation Compact Commission. MCL 3.1031 Art. II (4), (5) & (8).
- c. State Advisory Council on Mental Health and Aging. MCL 330.1941(1).
- d. Governing Board, Data Collection Agency for Workers Compensation Data. MCL 500.2402(2)(f).
- e. Catastrophic Claims Association Board. MCL 500.3104(13).
- f. Multiple Employer Welfare Arrangement Security Fund Board of Trustees. MCL 500.7080(2).

### **III. TRANSFER OF OFFICE OF FINANCIAL AND INSURANCE REGULATION FUNCTIONS**

A. All the authority, powers, duties, functions and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation created by Executive Order 2000-4, and amended by Executive Order 2008-2, Executive Order 2011-4, and Executive Order 2012-13 are hereby transferred by a Type III transfer to the Director of the Department of Insurance and Financial Services as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. Any and all statutory or other references to the Office of Financial and Insurance Regulation not inconsistent with this Order shall be deemed references to the Department of Insurance and Financial Services.

C. Any and all statutory or other references to the Commissioner of the Office of Financial and Insurance Regulation not inconsistent with this Order shall be deemed references to the Director of the Department of Insurance and Financial Services.

D. The Office of Financial and Insurance Regulation and the Office of Commissioner of the Office of Financial and Insurance Regulation are hereby abolished.

### **IV. TRANSFER OF AUTISM COVERAGE REIMBURSEMENT PROGRAM FUNCTIONS**

The Autism Coverage Reimbursement Program created under the Autism Coverage Reimbursement Act, 2012 PA 101, MCL 550.1831 to 1841, together with all the authority, powers, duties, functions, responsibilities, records, personnel, property, unexpended balances of appropriations, allocations of other funds, including functions of budgeting and procurement, are transferred from the Department of Licensing and Regulatory Affairs to the Department of Insurance and Financial Services. The Director of the Department of Insurance and Financial Services shall replace the Director of the Department of Licensing and Regulatory Affairs as a member of the Autism Council created by Executive Order 2012-11.

## **V. IMPLEMENTATION OF TRANSFERS**

- A. The Director of the Department of Insurance and Financial Services shall provide executive direction and supervision for the implementation of all transfers of authority under this Order.
- B. The Director of the Department of Insurance and Financial Services and the Director of the Department of Licensing and Regulatory Affairs shall immediately coordinate in order to facilitate the transfer and develop memoranda of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved related to the authority being transferred.
- C. The Director of the Department of Insurance and Financial Services shall establish the internal organization of the Department and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the Department. The Director of the Department of Insurance and Financial Services shall supervise the staff of the Department and shall be responsible for its day-to-day operations.
- D. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system as necessary for the implementation of this Order.
- E. The Director of the Department of Insurance and Financial Services may by written instrument delegate a duty or power conferred by law or this Order and the person to whom such duty or power is so delegated may perform such duty or exercise such power at the time and to the extent such duty or power is delegated by the Director of the Department of Insurance and Financial Services.

## **VI. MISCELLANEOUS**

- A. All records, personnel, and property used, held, employed, or to be made available to the Office of Financial and Insurance Regulation and the Department of Licensing and Regulatory Affairs for the activities, powers, duties, functions, and responsibilities transferred by this Order are hereby transferred to the Department of Insurance and Financial Services.
- B. All unexpended balances of appropriations, allocations, and other funds used, held, employed, or to be made available to the Office of Financial and Insurance Regulation and the Department of Licensing and Regulatory Affairs for the activities, powers, duties, functions, and responsibilities transferred by this Order are hereby transferred to the Department of Insurance and Financial Services.
- C. All rules, orders, contracts, plans, and agreements relating to the functions transferred to the Department of Insurance and Financial Services by this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or rescinded.
- D. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred to the Department of Insurance and Financial Services by this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

E. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order shall be effective 60 days after the filing of this Order.

Given under my hand and the Great Seal of the state  
of Michigan this\_\_\_\_\_day of January, in the  
Year of our Lord Two Thousand Thirteen.

---

RICHARD D. SNYDER  
GOVERNOR

BY THE GOVERNOR:

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SECRETARY OF STATE

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**EXECUTIVE ORDERS**

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**EXECUTIVE ORDER  
No. 2013 -2**

**EXECUTIVE REORGANIZATION  
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

**CREATION OF THE  
MICHIGAN VETERANS AFFAIRS AGENCY**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that he considers necessary for efficient administration; and

WHEREAS, there is a continued need to increase collaboration, optimize service delivery and ensure efficient administration; and

WHEREAS, Michigan's citizens include more than 650,000 veterans of the armed forces, making the state home to the 11<sup>th</sup> largest population of veterans among the states; and

WHEREAS, veterans have unique needs and an array of specific services and benefits are available to them; and

WHEREAS, veterans require dedicated strategic outreach, collaboration between many departments and partners at the federal, state and local level; and

WHEREAS, Michigan's current service delivery model is not structured to provide coordinated, high-quality services to help veterans recognize and access the benefits and services for which they are eligible; and

WHEREAS, such high-quality services can be best provided if a single entity coordinates the many efforts the state of Michigan makes to serve this population;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, by virtue of the powers and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

**II. DEFINITIONS**

As used in this Order:

H. "Agency" means the Michigan Veterans Affairs Agency created under Section II of this order.

I. "Department of Military and Veterans Affairs" means the principal department of state government created as the Department of Military Affairs by 1965 P.A. 380, MCL 16.225, and renamed the Department of Military and Veterans Affairs by Executive Order 1997-7, MCL 32.91.

J. "Director" means the director of the Michigan Veterans Affairs Agency created by Section II of this Order.

## **II. CREATION OF THE MICHIGAN VETERANS AFFAIRS AGENCY**

E. The Michigan Veterans Affairs Agency is created as an agency within the Department of Military and Veterans Affairs.

F. The Agency shall be headed by a Director who shall be appointed by the Governor and serve at the pleasure of the Governor.

G. The Director shall be the chief advisor to the Governor, the Adjutant General and the directors of state departments regarding the development of policies, programs and procedures for services to veterans.

H. The Director shall report to the head of the Department of Military and Veterans Affairs.

I. The Director shall be a member of the Executive Cabinet and regularly attend and fully participate in Cabinet meetings and functions.

## **III. FUNCTIONS OF THE VETERANS AFFAIRS AGENCY**

A. The Agency shall perform the following functions:

- i. Review, investigate, evaluate, and assess all programs within the executive branch of government related to services and benefits for veterans, including but not limited to programs involving health care, education, employment assistance, and quality of life.
- ii. Serve as the coordinating office for all agencies of the executive branch of government that are responsible for programs related to services for veterans.
- iii. Analyze and make recommendations to the Governor on proposed programs and policies relating to veterans, and on the elimination of duplication in existing state programs in these areas.
- iv. Provide information and assistance to all departments and agencies of the executive branch of government, both directly and by functioning as a clearinghouse for information received from such agencies, other branches of government, other states, and the federal government.
- v. Serve as the Governor's liaison with the Secretary of State, the Michigan Economic Development Corporation, the Michigan Strategic Fund, and with all

other departments and agencies of the executive branch of government with respect to programs, services, or benefits for veterans.

- vi. The Agency may request advice and assistance to re-engineer business processes and establish inter-agency and intra-agency data sharing requirements, policies, procedures and standards to improve services to veterans in Michigan. All executive branch departments and agencies shall cooperate fully with the new Agency in the performance of these responsibilities.
- vii. The Agency may make and execute contracts and other instruments necessary or convenient to the proper exercise of its functions.

B. The Agency shall administer the Veterans Speakers Program created under the Veterans Speakers Program Act, 2000 P.A. 81, MCL 32.281 to 283. The powers, duties, functions, responsibilities, records, and personnel necessary for such administration shall be transferred to the Agency from the Department of Military and Veterans Affairs.

C. The Department shall transfer to the Agency all duties, responsibilities, and powers to provide assistance to the State Veterans Home Board of Managers in the administration of all facilities governed by the Michigan Veterans' Facility Act, 1885 PA 152, MCL [Section 36.1](#) to 12, including but not limited to the Grand Rapids Veterans Home and the D.J. Jacobetti Veterans Home. The powers, duties, functions, responsibilities, records, and personnel necessary for such administration shall be transferred to the Agency from the Department of Military and Veterans Affairs.

## **V. IMPLEMENTATION OF TRANSFERS**

A. The Director shall provide executive direction and supervision for the implementation of all transfers of authority under this Order in consultation with the head of the Department of Military and Veterans Affairs.

B. The Director shall establish the internal organization of the Agency and allocate and reallocate duties and functions to promote economic and efficient administration and operation of the Agency. The Director shall be responsible for the day-to-day operations of the Agency.

## **VI. MISCELLANEOUS**

D. All records, personnel, and property used, held, employed, or to be made available to the Department of Military and Veterans Affairs for the activities, powers, duties, functions, and responsibilities transferred by this Order are hereby transferred to the Agency.

E. All rules, orders, contracts, plans, and agreements relating to the functions transferred to the Agency by this Order lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or rescinded.

C. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred by this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.



D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order shall be effective March 20, 2013.

Given under my hand and the Great Seal of the state  
of Michigan this \_\_\_\_\_ day of \_\_\_\_\_, in  
the Year of our Lord Two Thousand Thirteen.

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RICHARD D. SNYDER  
GOVERNOR

BY THE GOVERNOR:

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SECRETARY OF STATE

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**EXECUTIVE ORDERS**

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**EXECUTIVE ORDER  
No. 2013 - 3**

**STATE OF ENERGY EMERGENCY  
WAIVER OF REGULATIONS RELATING TO MOTOR CARRIERS AND DRIVERS  
TRANSPORTING PROPANE**

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor; and

WHEREAS, Section 3 of 1982 PA 191, MCL 10.83, authorizes the Governor to declare a State of Energy Emergency upon notification of an impending energy emergency by the Energy Advisory Committee, or upon the Governor's own initiative, if the Governor finds that an energy emergency exists or is imminent; and

WHEREAS, pipeline repairs at the propane terminal in Rapid River, Michigan, supply shortages in Wisconsin, and increased demand for propane due to excessively cold weather in Wisconsin and the Upper Peninsula of Michigan, have resulted in longer driving distances, wait times, and working hours for propane transporters, causing drivers to reach maximum weekly driving and on-duty limits more quickly than normal; and

WHEREAS, this situation has affected the availability of propane supplies in some areas of the Upper Peninsula, creating temporary shortages and shipment delays that may potentially impact the health, safety, and economic well-being of the citizens of Michigan who depend on this product, and the ability of transporters to supply the product in accordance with federal motor carrier regulations and requirements; and

WHEREAS, the longer driving distances, wait times, and working hours are making it difficult for propane transporters to meet demand and comply with federal and state hours-of-service regulations and requirements contained within 49 CFR Part 395, and adopted in Public Act 181 of 1963, MCL 480.11a; and

WHEREAS, it is in the best interests of the state of Michigan to provide for the safe transportation of propane within this state, and that appropriate measures be taken in response to an imminent energy emergency to assure that propane supplies will remain sufficient to protect the health, safety, and welfare of Michigan residents and visitors; and

WHEREAS, under Section 4 of 1982 PA 191, MCL 10.84, during a declared State of Energy Emergency, the Governor may, by executive order, suspend a statute, order, rule of a state agency, or specific provision of a statute, rule, or order if strict compliance with the statute, order, rule, or a specific provision of the statute, rule, or order will prevent, hinder, or delay necessary action in coping with the energy emergency; and

WHEREAS, Federal Motor Carrier Safety Administration regulations found at 49 CFR 390.23, and Michigan Public Act 181 of 1963, MCL 480.11a, provide the Governor with the authority to exempt motor carriers and drivers transporting propane within Michigan from the hours-of-service regulations and requirements specified in 49 CFR Part 395 and MCL 480.11a, to address transportation needs arising from the impact of this energy emergency;

NOW, THEREFORE, I, RICHARD D. SNYDER, Governor of the state of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and 1982 PA 191, MCL 10.81 to 10.87, order the following:

1. A State of Energy Emergency is declared in the state of Michigan.
2. Motor carriers and drivers transporting propane within Michigan to address propane supply needs arising from the terminal shutdowns in Rapid River, Wisconsin, and Rapid River, Michigan, are exempt from compliance with MCL 480.11a and any other applicable state statute, order, or rule substantially similar to MCL 480.11a, and 49 CFR Part 395. Any such provision of a state statute, order, or rule is suspended. This exemption and suspension applies to all highways in Michigan, including the national system of interstate and defense highways.
3. This order applies only to propane. No other petroleum products are covered by the exemption and suspension under this Order.
4. Nothing in this Order shall be construed as an exemption from applicable controlled substances and alcohol use and testing requirements (49 CFR Part 382 and any similar state statute, order, or rule), the commercial driver's license requirements (49 CFR Part 383 and any similar state statute, order, or rule), the financial responsibility requirements (49 CFR Part 387 and any similar state statute, order, or rule), applicable size and weight requirements, or any portion of federal and state regulations not specifically identified.
5. Motor carriers or drivers currently subject to an out-of-service order are not eligible for the exemption and suspension until the out-of-service order expires or the conditions for rescission have been satisfied.
6. The Federal Motor Carrier Safety Administration and Michigan Department of State Police require that drivers for motor carriers operating under the Declaration of Energy Emergency must have a copy of the Declaration of Energy Emergency in their possession.
7. The Commercial Vehicle Enforcement Division of the Michigan Department of State Police shall coordinate state compliance with this Order.

This Order is effective upon filing and remains in effect until it is rescinded or 11:59:59 p.m. EDT, Sunday, February 3, 2013, whichever first occurs.

Given under my hand and the Great Seal of the  
State of Michigan this Twenty-Fifth day of January  
in the  
Year of Our Lord, Two Thousand and Thirteen.

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RICHARD D. SNYDER  
GOVERNOR

BY THE GOVERNOR:

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SECRETARY OF STATE

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**OTHER OFFICIAL INFORMATION**

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*MCL 24.208 states in part:*

*Sec. 8. (1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

*\* \* \**

*(i) Other official information considered necessary or appropriate by the office of regulatory reinvention.*

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**OTHER OFFICIAL INFORMATION**

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January 22, 2013

Mr. Robert Nederhood  
Office of Regulatory Reinvention  
Department of Licensing and Regulatory Affairs  
George W. Romney Building, 4th Floor  
111 South Capitol Avenue  
Lansing, Michigan 48933

Dear Mr. Nederhood:

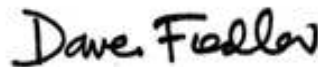
Portions of the Michigan Administrative Code (MAC) have been repealed through the enactment of 2012 PA 446, which amended the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The Department of Environmental Quality (DEQ) is writing the Office of Regulatory Reinvention to request that corrections to the MAC be made pursuant to Section 31(2), MCL 24.231, and Section 56(1), MCL 24.256, of the Administrative Procedures Act, 1969 PA 306, as amended.

Effective December 27, 2012, 2012 PA 446 repealed Subpart 1, PCB Compounds, of Part 147, Chemical Compounds, of the NREPA (MCL 324.14701 to 324.14705). Therefore, the following administrative rules shall be repealed:

- R 299.3301, R 299.3302, R 299.3303, R 299.3304, R 229.3305, R 229.3306, R 299.3307, R 299.3308, R 299.3309, R 299.3310, R 299.3311, R 299.3312, R 299.3313, R 299.3314, R 299.3315, R 299.3316, R 299.3317, R 299.3318, and R 299.3319

If you have any questions regarding this submission, please contact me at 517-335-6927.

Sincerely,



David Fiedler  
Regulatory Affairs Officer

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**OTHER OFFICIAL INFORMATION**

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January 9, 2013

Mr. Robert Nederhood  
Office of Regulatory Reinvention  
Department of Licensing and Regulatory Affairs  
George W. Romney Building, 4th Floor  
111 South Capitol Avenue  
Lansing, Michigan 48933

Dear Mr. Nederhood:

Portions of the Michigan Administrative Code (MAC) have been rescinded through the enactment of 2012 PA 554, which amended the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The Department of Environmental Quality (DEQ) is writing the Office of Regulatory Reinvention to request that corrections to the MAC be made pursuant to Section 31(2), MCL 24.231, and Section 56(1), MCL 24.256, of the Administrative Procedures Act, 1969 PA 306, as amended.

Effective December 31, 2012, 2012 PA 554 added Part 14, Clean Corporate Citizens, to Act 451 (MCL 324.1401 through 324.1429). Section 1429 of Part 14 rescinds the Clean Corporate Citizen Program rules. Therefore, the following administrative rules shall be rescinded:

- R 324.1501, R 324.1502, R 324.1503, R 324.1504, R 324.1505, R 324.1506, R 324.1507, R 324.1508, R 324.1509, R 324.1509a, R 324.1510, and R 324.1511.

If you have any questions regarding this submission, please contact me at 517-335-6927.

Sincerely,



David Fiedler  
Regulatory Affairs Officer

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**OTHER OFFICIAL INFORMATION**

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January 22, 2013

Mr. Robert Nederhood  
Office of Regulatory Reinvention  
Department of Licensing and Regulatory Affairs  
George W. Romney Building, 4th Floor  
111 South Capitol Avenue  
Lansing, Michigan 48933

Dear Mr. Nederhood:

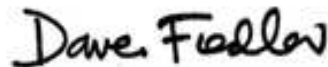
Portions of the Michigan Administrative Code (MAC) have been rescinded through the enactment of 2012 PA 446, which amended the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The Department of Environmental Quality (DEQ) is writing the Office of Regulatory Reinvention to request that corrections to the MAC be made pursuant to Section 31(2), MCL 24.231, and Section 56(1), MCL 24.256, of the Administrative Procedures Act, 1969 PA 306, as amended.

Effective December 27, 2012, 2012 PA 446 contains an Enacting Section 2 provision that rescinds 32 rules located in Part 1. General Provisions; Part 4. Alternate Water Service; Part 5. Response Activities; Part 7. Cleanup Criteria Requirements; and Part 9. Baseline Environmental Assessments, which were promulgated pursuant to Part 201, Environmental Remediation, of the NREPA. Therefore, the following administrative rules shall be rescinded:

R 299.5105, R 299.5107, R 299.5109, R 299.5111, R 299.5113, R 299.5117, R 299.5401, R 299.5403, R 299.5405, R 299.5407, R 299.5409, R 299.5411, R 299.5413, R 299.5415, R 299.5530, R 299.5532, R 299.5534, R 299.5536, R 299.5538, R 299.5540, R 299.5732, R 299.5742, R 299.5901, R 299.5903, R 299.5905, R 299.5907, R 299.5909, R 299.5911, R 299.5913, R 299.5915, R 299.5917, and R 299.5919

If you have any questions regarding this submission, please contact me at 517-335-6927.

Sincerely,



David Fiedler  
Regulatory Affairs Officer



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**MICHIGAN ADMINISTRATIVE CODE TABLE**  
**(2013 SESSION)**

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*MCL 24.208 states in part:*

*“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

\*       \*       \*

*(i) Other official information considered necessary or appropriate by the Office of Regulatory Reform.”*

*The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).*

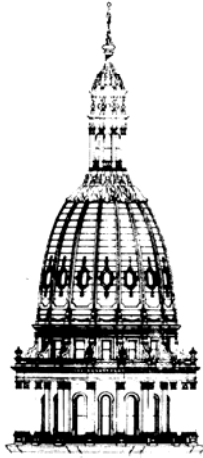
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**MICHIGAN ADMINISTRATIVE CODE TABLE**  
**(2013 RULE FILINGS)**

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R Number	Action	2013 MR Issue	R Number	Action	2013 MR Issue
408.10413	R	2013	408.42503	*	2013
408.10421	*	2013	408.42518	*	2013
408.10509	*	2013	408.42520	*	2013
408.10541	*	2013	408.42521	*	2013
408.10570	*	2013	408.42522	*	2013
408.10579	*	2013	408.42524	*	2013
408.10580	*	2013	408.42525	*	2013
408.10582	*	2013	408.42526	*	2013
408.10590	*	2013	408.42527	*	2013
408.10761	R	2013	408.42528	*	2013
408.10763	R	2013	408.42531	*	2013
408.10765	R	2013	408.42532	*	2013
408.10801	*	2013	408.42533	*	2013
408.10807	*	2013	408.42534	R	2013
408.10823	*	2013	408.42535	R	2013
408.10914	*	2013	408.42602	*	2013
408.10925	*	2013	408.42644	*	2013
408.10999	*	2013			
408.41610	*	2013			
408.41627	*	2013			
408.41633	*	2013			
408.41658	*	2013			
408.41719	*	2013			
408.41725	*	2013			
408.41728	*	2013			
408.42131	R	2013			
408.42145	R	2013			
408.42149	*	2013			
408.42156	*	2013			
408.42157	*	2013			
408.42159	*	2013			
408.42160	R	2013			
408.42402	*	2013			
408.42403	*	2013			
408.42404	*	2013			
408.42405	*	2013			
408.42406	*	2013			
408.42407	*	2013			
408.42502	*	2013			

(\* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)



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Repeal MCL 324.1401 to 324.1429 (2013-2)

Repeal PA 446 of 2012 (2013-2)

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Part 8 Electrical Code (2013-1\*)  
Part 8.Portable Fire Extinguishers GI (2013-1)  
Part 9.Fixed Fire Equipment GI (2013-1)  
Part 9A Mechanical Code (2013-1\*)  
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**ADMINISTRATIVE RULES  
ENROLLED SENATE AND HOUSE BILLS  
SIGNED INTO LAW OR VETOED  
(2012 SESSION)**

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*Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”*

*Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”*

*MCL 24.208 states in part:*

*“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:*

\* \* \*

*(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.*

*(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”*

# 2012 Michigan Public Acts Table

Legislative Service Bureau  
Legal Division, Statutory Compiling and Law Publications Unit  
124 W. Allegan, Lansing, MI 48909

January 31, 2013  
Through PA 625 of 2012

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
1	5194		Yes	2/7	2/7	2/7/12 #	<b>School aid; payments</b> ; procedure for payment of deficit or obligations; modify for certain school districts. (Rep. F. Durhal)
2	5195		Yes	2/7	2/7	2/7/12 #	<b>School aid; payments</b> ; payment of deficit or obligations; require to be paid to the Michigan finance authority. (Rep. F. Durhal)
3	4403		Yes	2/7	2/7	2/7/12	<b>Courts; juries</b> ; individuals who fail to return jury questionnaires; ensure continued eligibility for jury service. (Rep. S. Jackson)
4	4893		Yes	2/7	2/7	2/7/12	<b>Occupations; optometrists</b> ; special volunteer license and immunity from liability; expand to include optometrists. (Rep. M. Callton)
5	4284		Yes	2/14	2/14	2/14/12	<b>Crimes; disorderly conduct</b> ; certain conduct directed at funeral and memorial services; prohibit as disorderly conduct. (Rep. B. Rendon)
6	4745		Yes	2/14	2/14	2/14/12 #	<b>Criminal procedure; sentencing guidelines</b> ; sentencing guidelines for crime of disorderly conduct at a funeral; revise. (Rep. K. Damrow)
7	4920		Yes	2/7	2/15	2/15/12	<b>Cities; home rule</b> ; authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide. (Rep. P. Scott)
8	4921		Yes	2/7	2/15	2/15/12	<b>Townships; charter</b> ; authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide. (Rep. K. Heise)

\* - I.E. means Legislature voted to give the Act immediate effect.

\*\* - Act takes effect on the 91st day after sine die adjournment of the Legislature.

\*\*\* - See Act for applicable effective date.

+ - Line item veto.

++ - Pocket veto.

# - Tie bar.

## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
9	4922		Yes	2/7	2/15	2/15/12	<b>Townships; general law;</b> authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide. (Rep. J. Walsh)
10	4923		Yes	2/14	2/15	2/15/12	<b>Villages; general law;</b> authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide. (Rep. B. Constan)
11	4924		Yes	2/7	2/15	2/15/12	<b>Villages; home rule;</b> authority to enact local ordinances with criminal penalties of not more than 180 days in jail; provide. (Rep. P. Muxlow)
12	5192		Yes	2/14	2/15	2/15/12	<b>Labor; public service labor disputes;</b> membership of board of trustees of certain police and fire retirement systems as a prohibited subject of bargaining; clarify. (Rep. F. Durhal)
13		0130	Yes	2/7	2/15	5/16/12	<b>Traffic control; civil infraction procedures;</b> minimum number of unpaid parking tickets a person may have before the secretary of state will not issue or renew the person's operator's license; revise. (Sen. D. Hildenbrand)
14	5125		Yes	2/21	2/21	2/21/12 #	<b>Counties; boards and commissions;</b> powers and duties of county road commissioners to be exercised by the county board of commissioners; provide for. (Rep. J. Switalski)
15	5126		Yes	2/21	2/21	2/21/12 #	<b>Counties; boards and commissions;</b> transfer of functions of a county road commission to the county board of commissioners; provide for. (Rep. D. Zorn)
16	5073		Yes	2/21	2/22	2/22/12	<b>Courts; judges;</b> certain district court judgeships; reduce in number. (Rep. K. Cotter)
17	5074		Yes	2/21	2/22	2/22/12	<b>Courts; judges;</b> certain district court judgeships; reduce in number. (Rep. P. Somerville)
18	5075		Yes	2/21	2/22	2/22/12	<b>Courts; judges;</b> certain circuit court and district court judgeships; reduce in number. (Rep. P. Pettalia)

\* - I.E. means Legislature voted to give the Act immediate effect.

\*\* - Act takes effect on the 91st day after sine die adjournment of the Legislature.

\*\*\* - See Act for applicable effective date.

+ - Line item veto.

++ - Pocket veto.

# - Tie bar.

## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
19	5093		Yes	2/21	2/22	2/22/12	<b>Courts; judges;</b> certain district court judgeships; reduce in number. (Rep. J. Walsh)
20	5094		Yes	2/21	2/22	2/22/12	<b>Courts; judges;</b> certain district court judgeships; reduce in number. (Rep. S. Erwin Oakes)
21	5095		Yes	2/21	2/22	2/22/12	<b>Courts; judges;</b> certain district court judgeship; reduce in number. (Rep. R. Schmidt)
22	5106		Yes	2/21	2/22	2/22/12	<b>Courts; judges;</b> certain circuit court judgeship; reduce in number. (Rep. P. Cavanagh)
23	5107		Yes	2/21	2/22	2/22/12	<b>Courts; judges;</b> certain district court judgeship; reduce in number. (Rep. P. Pettalia)
24	4074		Yes	2/21	2/23	2/23/12 #	<b>Corrections; prisoners;</b> prisoner to obtain certain identity documents before release; require under certain circumstances. (Rep. M. O'Brien)
25	4075		Yes	2/21	2/23	2/23/12 #	<b>State; identification cards;</b> forms of identification necessary to apply for a state identification card; include corrections identification card and allow access by secretary of state to certain prisoner information. (Rep. M. Shirkey)
26	4076		Yes	2/21	2/23	2/23/12 #	<b>Traffic control; driver license;</b> forms of identification necessary to apply for driver license; include corrections identification card and allow access by secretary of state to certain prisoner information. (Rep. K. Damrow)
27	4077		Yes	2/21	2/23	2/23/12 #	<b>Criminal procedure; sentencing;</b> notification to prisoner regarding importance of obtaining identity documents; require under certain circumstances and provide that existing identity documents be forwarded to the department of corrections. (Rep. B. Glardon)
28	5136		Yes	2/21	2/23	2/23/12	<b>Recreation; other;</b> recreational vehicles; allow electronic verification of identity of applicant for title and registration purposes. (Rep. W. Schmidt)

\* - I.E. means Legislature voted to give the Act immediate effect.

\*\* - Act takes effect on the 91st day after sine die adjournment of the Legislature.

\*\*\* - See Act for applicable effective date.

+ - Line item veto.

++ - Pocket veto.

# - Tie bar.



## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
29	4445		Yes	2/24	2/24	2/24/12	<b>Appropriations; supplemental;</b> school aid supplemental including distressed district student transition grants; provide for fiscal year 2011-2012. (Rep. C. Moss)
30	5085		Yes	2/28	2/28	2/28/12	<b>Campaign finance; contributions and expenditures;</b> certain payroll deduction plans used to collect a contribution; prohibit. (Rep. M. Shirkey)
31	5086		Yes	2/28	2/28	2/28/12	<b>Campaign finance; contributions and expenditures;</b> prohibition on using public resources to establish or administer certain payroll deduction plans; provide for. (Rep. P. Opsommer)
32		0525	Yes	2/28	2/28	2/28/12	<b>Weapons; licensing;</b> renewal of concealed pistol license before expiration date of existing license; allow under certain circumstances and specify expiration date for renewed license. (Sen. G. Hansen)
33	5071		Yes	2/28	2/28	2/28/12	<b>Courts; judges;</b> certain district court judgeships; reduce in number. (Rep. J. Walsh)
34	5072		Yes	2/28	2/28	2/28/12	<b>Courts; judges;</b> certain district court judgeships; reduce in number. (Rep. K. Heise)
35	5101		Yes	2/28	2/28	2/28/12	<b>Courts; judges;</b> certain trial court judgeships; reduce in number. (Rep. J. Walsh)
36	5102		Yes	2/28	2/28	2/28/12	<b>Courts; judges;</b> circuit court judgeships; reduce in number, and reorganize certain circuits. (Rep. K. Heise)
37	5103		Yes	2/28	2/28	2/28/12	<b>Courts; judges;</b> district court judgeships; reduce, and consolidate certain district court districts. (Rep. D. Rutledge)
38	5104		Yes	2/28	2/28	2/28/12	<b>Courts; judges;</b> certain circuit court judgeships; reduce in number. (Rep. P. Somerville)

\* - I.E. means Legislature voted to give the Act immediate effect.

\*\* - Act takes effect on the 91st day after sine die adjournment of the Legislature.

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++ - Pocket veto.

# - Tie bar.

## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
39		0298	Yes	3/6	3/6	3/6/12	<b>Insurance; other</b> ; practitioners who employ, use, or act as a runner, capper, or steerer to falsely or fraudulently obtain benefits; prohibit as fraudulent act and revise procedures for calculation of Michigan basic property insurance association rates. <b>(Sen. V. Smith)</b>
40		0849	Yes	3/6	3/6	3/25/12	<b>Legislature; apportionment</b> ; redistricting of the court of appeals; provide for. <b>(Sen. J. Hune)</b>
41	4578		Yes	3/6	3/6	3/6/12	<b>Environmental protection</b> ; sewage; land application of septage waste; preempt certain local restrictions. <b>(Rep. K. Goike)</b>
42	4754		Yes	3/6	3/6	3/6/12	<b>Transportation; railroads</b> ; sale of certain state-owned rail lines; permit. <b>(Rep. F. Foster)</b>
43	4994		Yes	3/6	3/6	3/6/12	<b>Environmental protection; water pollution</b> ; annual wastewater report requirement; repeal, and rescind corresponding rules. <b>(Rep. E. Kowall)</b>
44	4369		Yes	3/6	3/7	3/7/12	<b>Health; pharmaceuticals</b> ; electronic monitoring system for certain dispensed controlled substances; allow health care payment or benefit providers to access data until date certain and allow department to request access data. <b>(Rep. L. Liss)</b>
45	4246		Yes	3/13	3/13	3/13/12	<b>Labor; collective bargaining</b> ; definition of public employee; revise. <b>(Rep. A. Pscholka)</b>
46	4668		Yes	3/13	3/13	3/13/12 #	<b>Property tax; assessments</b> ; assessment of real property; revise for certain summer resort and assembly corporations. <b>(Rep. F. Foster)</b>
47	4669		Yes	3/13	3/13	3/13/12 #	<b>Property tax; assessments</b> ; sale of shares in certain summer park and resort associations; revise definition of transfer of ownership to exclude. <b>(Rep. F. Foster)</b>
48		0611	Yes	3/13	3/13	3/13/12	<b>Human services; medical services</b> ; maintenance of effort on nursing homes; extend sunset. <b>(Sen. B. Caswell)</b>

\* - I.E. means Legislature voted to give the Act immediate effect.

\*\* - Act takes effect on the 91st day after sine die adjournment of the Legislature.

\*\*\* - See Act for applicable effective date.

+ - Line item veto.

++ - Pocket veto.

# - Tie bar.

## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
49		0702	Yes	3/13	3/13	3/13/12	<b>Occupations; health care professions;</b> beginning date for fingerprinting and criminal history check requirement; modify. ( <i>Sen. J. Moolenaar</i> )
50	4589		Yes	3/13	3/13	3/13/12	<b>Torts; governmental immunity;</b> liability for a defect in a sidewalk; revise. ( <i>Rep. P. Somerville</i> )
51		0787	Yes	3/13	3/13	3/13/12	<b>Health facilities; licensing;</b> criminal records check through the federal bureau of investigation for home for the aged employees; clarify. ( <i>Sen. M. Nofs</i> )
52		0788	Yes	3/13	3/13	3/13/12	<b>Human services; adult foster care;</b> criminal records check through the federal bureau of investigation under adult foster care facility licensing act; clarify. ( <i>Sen. M. Nofs</i> )
53	4929		Yes	3/15	3/16	3/16/12	<b>Labor; public service employment;</b> collection of union dues by public school personnel; prohibit. ( <i>Rep. J. Haveman</i> )
54		0534	Yes	3/21	3/21	6/30/12 #	<b>Vehicles; fund-raising registration plates;</b> anatomical gift donation fund-raising registration plate; create. ( <i>Sen. J. Gleason</i> )
55	4978		Yes	3/21	3/21	6/30/12 #	<b>Vehicles; registration plates;</b> distribution of funds collected for the organ and tissue donation education fund; modify, and change fund name to the Thomas Daley gift of life fund. ( <i>Rep. K. Daley</i> )
56		0778	Yes	3/22	3/22	3/22/12	<b>Natural resources; inland lakes;</b> public road access to lakes or streams; specify authorized uses. ( <i>Sen. M. Kowall</i> )
57		0634	Yes	3/22	3/22	3/22/12	<b>Property tax; payment and collection;</b> eligibility for property tax deferment for partnerships; clarify. ( <i>Sen. J. Hune</i> )
58	4846		Yes	3/22	3/22	11/1/12	<b>Watercraft; violations;</b> vessel operated without required marine safety equipment; allow peace officer to issue citation to owner or operator, require observer when vessel is towing a person, and revise definition of passenger. ( <i>Rep. W. Schmidt</i> )

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## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
59	4847		Yes	3/22	3/22	11/1/12	<b>Watercraft; other</b> ; identification and lighting requirements for barges; enact and provide penalties and remedies. (Rep. H. Haugh)
60	4848		Yes	3/22	3/22	11/1/12	<b>Watercraft; violations</b> ; fleeing and eluding police or conservation officer while operating a vessel; prohibit. (Rep. A. LaFontaine)
61	5109		Yes	3/22	3/22	11/1/12	<b>Watercraft; safety</b> ; requirement for persons riding on or being towed behind a personal watercraft to wear certain personal flotation devices; eliminate. (Rep. N. Jenkins)
62	5110		Yes	3/22	3/22	11/1/12	<b>Watercraft; traffic control</b> ; criteria for investigatory stops of moving vessels; clarify. (Rep. R. LeBlanc)
63	4639		Yes	3/22	3/22	3/22/12	<b>Probate; other</b> ; disposition of decedent's remains; require that directions by a person properly designated by service member be followed. (Rep. K. Damrow)
64		0683	Yes	3/27	3/27	3/27/12	<b>Appropriations; zero budget</b> ; supplemental appropriations; provide OPEB funds for fiscal year 2011-2012. (Sen. R. Kahn)
65		0685	Yes	3/27	3/27	3/27/12	<b>Natural resources; hunting</b> ; deer damage shooting permits; modify requirements for issuance and limit number of authorized shooters. (Sen. J. Proos)
66	4618		Yes	3/27	3/27	3/27/12	<b>Property tax; exemptions</b> ; exemption for property housing elderly or disabled families; provide retroactive approval under certain circumstances. (Rep. M. O'Brien)
67		0992	Yes	3/29	3/29	3/29/12	<b>Consumer credit; lending practices</b> ; nonrecourse commercial mortgage loans; clarify effect of certain mortgage provisions. (Sen. A. Meekhof)
68	4647		Yes	3/29	3/29	6/1/12	<b>Civil procedure; evidence</b> ; expert witness testimony; allow to be presented by video communication equipment. (Rep. K. Heise)

\* - I.E. means Legislature voted to give the Act immediate effect.

\*\* - Act takes effect on the 91st day after sine die adjournment of the Legislature.

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## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
69	4691		Yes	3/29	3/29	5/1/12	<b>Courts; juries</b> ; exemption for nursing mothers from jury duty; provide for under certain circumstances. (Rep. K. Heise)
70	5332		Yes	3/29	3/29	3/29/12	<b>Income tax; returns</b> ; mandatory unitary filing for certain taxpayers with a certificated credit; eliminate. (Rep. J. Haveman)
71	4843		Yes	4/4	4/4	4/4/12	<b>Highways; name</b> ; certain portion of M-61; designate as "Trooper Jeffrey Werda Memorial Highway". (Rep. J. Johnson)
72		0727	Yes	4/5	4/6	4/6/12 #	<b>Courts; circuit court</b> ; requirement for circuit court to consent to appointment of assistant prosecutor by prosecuting attorney in certain cases; eliminate. (Sen. D. Booher)
73		0728	Yes	4/5	4/6	4/6/12 #	<b>Courts; circuit court</b> ; requirement for circuit court to consent to appointment of assistant prosecutor by the prosecutor in certain cases; eliminate. (Sen. D. Booher)
74		0515	Yes	4/9	4/9	4/9/12 #	<b>Property; conveyances</b> ; transfer of certain state fair property to Michigan fast track land bank authority; provide for. (Sen. V. Smith)
75	4803		Yes	4/9	4/9	4/9/12 #	<b>Property; conveyances</b> ; transfer of certain state fair property to Michigan fast track land bank authority; provide for. (Rep. J. Womack)
76		1018	Yes	4/9	4/10	4/10/12	<b>Labor; public service employment</b> ; definition of public employee; clarify regarding recognition of union based on receipt of government subsidy or interlocal agreement. (Sen. D. Hildenbrand)
77		0711	Yes	4/11	4/11	4/11/12	<b>Gaming; lottery</b> ; lottery winners; require lottery bureau to share names with department of human services. (Sen. J. Moolenaar)
78		0712	Yes	4/11	4/11	4/11/12	<b>Human services; services or financial assistance</b> ; determination of financial eligibility for family independence program; include certain lottery and gambling winnings. (Sen. M. Green)

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## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
79	5033		Yes	4/11	4/11	4/11/12	<b>Human services</b> ; services or financial assistance; eligibility for family independence program; apply asset test. (Rep. D. Agema)
80		035	Yes	4/10	4/11	4/11/12	<b>Traffic control</b> ; traffic regulation; maximum length allowed for a recreational vehicle in combination with a trailer; revise. (Sen. M. Nofs)
81		0412	Yes	4/10	4/11	4/11/12	<b>Natural resources</b> ; hunting; wild turkey license fee; modify use. (Sen. D. Booher)
82		0874	Yes	4/10	4/11	4/11/12	<b>Liquor</b> ; licenses; revocation of license for multiple sales to minors; base on consecutive 12-month period. (Sen. T. Rocca)
83	4552		Yes	4/10	4/11	4/11/12	<b>Worker's compensation</b> ; benefits; certain volunteer registrants; allow to collect worker's compensation insurance through the state under certain circumstances and to make technical corrections concerning reports and application of certain provisions. (Rep. K. Kurtz)
84	4601		Yes	4/10	4/11	4/11/12	<b>Torts</b> ; product liability; liability of successor corporation for asbestos claims; enact limits. (Rep. J. Haveman)
85	4689		Yes	4/11	4/11	4/11/12	<b>Property</b> ; conveyances; transfer of Scott correctional facility in Northville; provide for. (Rep. K. Heise)
86	5081		Yes	4/10	4/11	7/1/13 #	<b>Commercial code</b> ; other; general revisions to article 1 of the uniform commercial code; provide for. (Rep. M. Huuki)
87	5082		Yes	4/10	4/11	7/1/13 #	<b>Commercial code</b> ; warehouse receipts; general revisions to article 7 of the uniform commercial code; provide for. (Rep. K. Cotter)
88	5083		Yes	4/10	4/11	7/1/13 #	<b>Commercial code</b> ; secured transactions; general revisions to article 9 of the uniform commercial code; provide for. (Rep. E. Lipton)

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	HB	SB					
89	4289		Yes	4/12	4/12	4/12/12 +	<b>Appropriations</b> ; zero budget; supplemental appropriations; provide for fiscal year 2011-2012. (Rep. C. Moss)
90	4663		Yes	4/10	4/12	4/12/12	<b>Agriculture</b> ; other; registration of farm names; repeal. (Rep. B. Glardon)
91	5206		Yes	4/10	4/12	4/12/12	<b>Agriculture</b> ; products; administrative rules related to cherry assessments; rescind. (Rep. B. Rendon)
92	5207		Yes	4/10	4/12	4/12/12	<b>Agriculture</b> ; products; certain administrative rules; rescind. (Rep. K. Kurtz)
93	5208		Yes	4/10	4/12	4/12/12	<b>Agriculture</b> ; products; administrative rule related to liquid measuring devices; rescind. (Rep. P. Muxlow)
94	5209		Yes	4/10	4/12	4/12/12	<b>Agriculture</b> ; products; administrative rules related to the Upper Peninsula state fair; rescind. (Rep. E. McBroom)
95	5210		Yes	4/10	4/12	4/12/12	<b>Agriculture</b> ; products; administrative rules related to the state apple commission; rescind. (Rep. R. Outman)
96	5211		Yes	4/10	4/12	4/12/12	<b>Agriculture</b> ; products; administrative rules related to grain dealers; rescind. (Rep. B. Glardon)
97	5212		Yes	4/10	4/12	4/12/12	<b>Agriculture</b> ; products; certain administrative rules related to certain nursery stock; rescind. (Rep. A. LaFontaine)
98		0291	Yes	4/12	4/13	4/13/12	<b>Vehicles</b> ; motorcycles; motorcycle helmet requirement; abolish under certain circumstances. (Sen. P. Pavlov)

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## 2012 Michigan Public Acts Table

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	HB	SB					
99		0414	Yes	4/18	4/18	4/18/12 #	<b>Insurance; health care corporations;</b> coverage for certain treatment related to autism; provide for. ( <i>Sen. M. Green</i> )
100		0415	Yes	4/18	4/18	4/18/12 #	<b>Insurance; health;</b> coverage for certain treatment related to autism; provide for. ( <i>Sen. T. Hunter</i> )
101		0981	Yes	4/18	4/18	4/18/12 #	<b>Insurance; health;</b> autism coverage reimbursement act; create. ( <i>Sen. R. Richardville</i> )
102	4207		Yes	4/19	4/19	4/19/12	<b>Environmental protection;</b> air pollution; open burning of certain household waste; prohibit, and authorize burning of produce bins. ( <i>Rep. K. Kurtz</i> )
103	5011		Yes	4/18	4/20	4/20/12	<b>Construction; code;</b> certain enforcement and administrative functions; authorize governmental unit to contract with private organization for. ( <i>Rep. M. Ouimet</i> )
104	5050		Yes	4/18	4/20	7/20/12	<b>Law enforcement; investigations;</b> providing false information to peace officer conducting criminal investigation; prohibit, and provide penalties. ( <i>Rep. J. Walsh</i> )
105	5051		Yes	4/18	4/20	7/20/12 #	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for crime of providing false information to a peace officer conducting a criminal investigation; enact. ( <i>Rep. J. Walsh</i> )
106		0946	Yes	4/24	4/24	4/24/12	<b>Agriculture; diseases and pests;</b> nursery stock; require certain inspections. ( <i>Sen. B. Caswell</i> )
107	5189		Yes	5/1	5/1	5/1/12	<b>Appropriations; supplemental;</b> funding for state emergency relief services; provide for. ( <i>Rep. A. Price</i> )
108		0528	Yes	5/1	5/1	5/1/12 #	<b>Environmental protection;</b> underground storage tanks; liability and cleanup procedures; modify. ( <i>Sen. T. Casperson</i> )

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## 2012 Michigan Public Acts Table

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	HB	SB					
109		0529	Yes	5/1	5/1	5/1/12 #	<b>Environmental protection</b> ; underground storage tanks; liability and cleanup procedures; modify. ( <b>Sen. D. Booher</b> )
110		0530	Yes	5/1	5/1	5/1/12 #	<b>Environmental protection</b> ; underground storage tanks; liability and cleanup procedures; modify. ( <b>Sen. P. Pavlov</b> )
111		0531	Yes	5/1	5/1	5/1/12 #	<b>Environmental protection</b> ; underground storage tanks; liability and cleanup procedures; modify. ( <b>Sen. A. Meekhof</b> )
112		0532	Yes	5/1	5/1	5/1/12 #	<b>Environmental protection</b> ; underground storage tanks; liability and cleanup procedures; modify. ( <b>Sen. M. Kowall</b> )
113		0533	Yes	5/1	5/1	5/1/12 #	<b>Environmental protection</b> ; underground storage tanks; liability and cleanup procedures; modify. ( <b>Sen. M. Green</b> )
114		0349	Yes	5/1	5/1	5/1/12	<b>Property tax</b> ; principal residence exemption; extended filing deadline and conditional rescission for foreclosed property; provide for. ( <b>Sen. D. Hildenbrand</b> )
115		1005	Yes	5/1	5/1	5/1/12	<b>Juveniles</b> ; other; certain child development training for lawyer-guardian ad litem; require, and modify termination of parental rights provisions. ( <b>Sen. J. Emmons</b> )
116		0617	Yes	5/1	5/2	5/2/12	<b>State</b> ; other; concurrent jurisdiction on federally owned lands within the Pictured Rocks national lakeshore; provide for. ( <b>Sen. T. Casperson</b> )
117	4346		Yes	5/1	5/2	5/2/12	<b>Use tax</b> ; collections; prepayment collection process; revise. ( <b>Rep. J. Walsh</b> )
118		0428	Yes	5/1	5/2	5/2/12	<b>Sales tax</b> ; collections; prepayment collection process; revise. ( <b>Sen. D. Hildenbrand</b> )

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	HB	SB					
119	4751		Yes	5/1	5/2	5/2/12	<b>Agriculture; marketing;</b> unfair practices of voluntary associations; revise responsibility of expense of proceedings. (Rep. J. Johnson)
120	4845		Yes	5/1	5/2	11/1/12	<b>Watercraft; safety;</b> boating safety certificate and watercraft endorsement; define, and allow operation of motorboat by person less than 12 years of age under certain circumstances. (Rep. F. Foster)
121	4974		Yes	5/1	5/2	5/2/12	<b>Highways; name;</b> portion of US-31 designated as the "Medal of Honor Recipients Highway"; provide technical amendment. (Rep. A. Price)
122		029	Yes	5/8	5/8	8/6/12 #	<b>Crimes; weapons;</b> sale, possession, and use of device that uses electro-muscular technology; amend Michigan penal code to allow under certain circumstances. (Sen. G. Hansen)
123		030	Yes	5/8	5/8	8/6/12 #	<b>Weapons; licensing;</b> sale, possession, and use of device that uses electro-muscular disruption technology; amend firearms act to allow under certain circumstances. (Sen. R. Jones)
124		093	Yes	5/8	5/8	8/6/12 #	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for certain crimes involving electro-muscular disruption devices; enact. (Sen. G. Hansen)
125	4393		Yes	5/8	5/8	6/1/12	<b>Liquor; drinking age;</b> certain minors; exempt from underage drinking violation under certain circumstances. (Rep. A. Forlini)
126	4658		Yes	5/8	5/8	5/8/12	<b>Sales tax; exemptions;</b> prisoner purchases; eliminate exemption. (Rep. A. Forlini)
127	5057		Yes	5/8	5/8	5/8/12	<b>Records; birth;</b> heirloom birth certificate; establish flat fee. (Rep. L. Lyons)
128	4992		Yes	5/11	5/14	5/14/12	<b>Elections; ballots;</b> ballot instructions; revise to require placement in voting booth and include with absentee ballots, and make other miscellaneous changes to the Michigan election law. (Rep. E. Kowall)

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	HB	SB					
129		0619	No	5/15	5/15	3/28/13	<b>Education</b> ; public school academies; certain requirements and limitations on authorizing cyber schools; revise. ( <i>Sen. P. Colbeck</i> )
130		0621	Yes	5/15	5/15	5/15/12	<b>School aid</b> ; other; conditions under which public school may receive school aid for instruction provided to nonpublic school students at nonpublic school site; revise. ( <i>Sen. G. Hansen</i> )
131		0622	Yes	5/15	5/15	7/1/12 #	<b>Education</b> ; students; dual enrollment eligibility; modify in postsecondary options act. ( <i>Sen. J. Emmons</i> )
132		0623	Yes	5/15	5/15	7/1/12 #	<b>Education</b> ; students; dual enrollment eligibility; modify in career and technical preparation act. ( <i>Sen. J. Emmons</i> )
133		0709	Yes	5/15	5/15	7/1/12 #	<b>Education</b> ; students; dual enrollment opportunities for high school students in career and technical preparation programs; expand to nonpublic school and home school students. ( <i>Sen. J. Emmons</i> )
134		0710	Yes	5/15	5/15	7/1/12 #	<b>Education</b> ; students; dual enrollment opportunities for high school students in certain postsecondary institutions; expand to nonpublic school and home-schooled students. ( <i>Sen. J. Emmons</i> )
135	5178		Yes	5/16	5/16	5/16/12	<b>Property tax</b> ; exemptions; poverty exemption; revise filing requirements. ( <i>Rep. R. Tlaib</i> )
136		0393	Yes	5/15	5/16	5/16/12	<b>Corrections</b> ; jails; population requirement for municipalities eligible to seek reimbursement from inmates; remove. ( <i>Sen. R. Jones</i> )
137	5186		Yes	5/15	5/16	5/16/12	<b>Property</b> ; conveyances; reverter clause for certain property in Branch county if not used for educational purposes; replace with right of entry if land not used for public purposes. ( <i>Rep. K. Kurtz</i> )
138		0499	Yes	5/22	5/22	5/22/12	<b>Recreation</b> ; trails; rail trails; authorize installation of telecommunication facilities under certain circumstances. ( <i>Sen. T. Casperson</i> )

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	HB	SB					
139		064	Yes	5/22	5/22	5/22/12 #	<b>Housing; landlord and tenants;</b> summary proceedings to recover possession of premises; allow after 7-day notice to quit if tenant injures or threatens to injure another individual. ( <b>Sen. R. Jones</b> )
140		065	Yes	5/22	5/22	5/22/12 #	<b>Housing; landlord and tenants;</b> termination of lease for certain controlled substance offenders if police report is filed; allow filing by person other than landlord. ( <b>Sen. T. Schuitmaker</b> )
141		092	Yes	5/22	5/22	5/22/12	<b>Probate; powers of attorney;</b> written acknowledgment of responsibilities by agent appointed under a power of attorney; require. ( <b>Sen. S. Bieda</b> )
142		0269	Yes	5/22	5/22	9/1/12	<b>Civil procedure; small claims;</b> limitation on recovery amount in small claims suits; revise. ( <b>Sen. T. Schuitmaker</b> )
143		1064	Yes	5/23	5/24	5/24/12	<b>Land use; zoning and growth management;</b> wireless communications equipment; regulate special land use approval. ( <b>Sen. M. Kowall</b> )
144	4563		Yes	5/24	5/24	5/24/12	<b>State; escheats;</b> certain business-to-business exemption; provide for. ( <b>Rep. A. Nesbitt</b> )
145		0929	Yes	5/30	5/30	5/30/12	<b>State financing and management; funds;</b> 21st century jobs trust fund; modify. ( <b>Sen. M. Kowall</b> )
146		0768	Yes	5/30	5/30	8/29/12	<b>Crimes; business crimes;</b> possession, manufacturing, installation, transfer, or sale of an automated sales suppression device; prohibit. ( <b>Sen. J. Pappageorge</b> )
147		0769	Yes	5/30	5/30	8/29/12 #	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for crime of selling, manufacturing, installing, transferring, or possessing an automated sales suppression device; enact. ( <b>Sen. J. Pappageorge</b> )
148		0887	Yes	5/30	5/30	5/30/12	<b>Occupations; licensing fees;</b> grain dealers; modify fees, and eliminate surety requirements. ( <b>Sen. M. Green</b> )

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	HB	SB					
149		0888	Yes	5/30	5/30	5/30/12	<b>Occupations; agriculture;</b> administration of farm produce insurance program; authorize collection of fee from producers for state enforcement costs and revise fund investment requirements. ( <i>Sen. M. Green</i> )
150		0908	Yes	5/30	5/30	5/30/12	<b>Financial institutions; loan officers;</b> regulation of loan modification activities by sponsored mortgage loan originators; clarify. ( <i>Sen. D. Booher</i> )
151	5232		Yes	5/30	5/30	5/30/12	<b>Income tax; checkoff;</b> contribution designation requirements; modify. ( <i>Rep. J. Farrington</i> )
152	5289		Yes	5/30	5/30	5/30/12	<b>Local government; financing;</b> investments in certain deposit accounts; authorize. ( <i>Rep. M. Ouimet</i> )
153	5288		Yes	5/30	5/30	5/30/12	<b>Higher education; community colleges;</b> investments in certain deposit accounts; authorize. ( <i>Rep. J. Womack</i> )
154	4632		Yes	6/5	6/5	6/5/12 #	<b>Income tax; checkoff;</b> special Olympics Michigan fund; provide check-off option. ( <i>Rep. K. Cotter</i> )
155		0381	Yes	6/5	6/5	6/5/12 #	<b>Income tax; other;</b> special Olympics Michigan fund; create. ( <i>Sen. R. Jones</i> )
156	4653		Yes	6/5	6/5	6/5/12	<b>Elections; polling places;</b> displaying the name of any elected or appointed official on materials at public polling locations; prohibit. ( <i>Rep. A. Forlini</i> )
157	5119		Yes	6/5	6/5	6/5/12	<b>Elections; election officials;</b> jurisdiction in which a precinct election inspector may serve; expand. ( <i>Rep. R. Outman</i> )
158	5362		Yes	6/7	6/7	10/1/12	<b>Insurance; no-fault;</b> liability for damage to motor vehicles; increase limit. ( <i>Rep. C. Denby</i> )

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	HB	SB					
159		0557	Yes	6/12	6/12	6/12/12	<b>Family law; paternity;</b> revocation of paternity act; enact. ( <b>Sen. S. Bieda</b> )
160		0560	Yes	6/12	6/12	6/12/12 #	<b>Family law; paternity;</b> determination of parentage for intestate succession; provide for determination under revocation of paternity act. ( <b>Sen. R. Jones</b> )
161	5328		Yes	6/12	6/12	6/12/12 #	<b>Family law; paternity;</b> acknowledgment of parentage; allow to be set aside under revocation of paternity act. ( <b>Rep. M. Lori</b> )
162	5329		Yes	6/12	6/12	6/12/12 #	<b>Family law; paternity;</b> order of filiation; allow to be set aside under revocation of paternity act. ( <b>Rep. P. Somerville</b> )
163		0320	Yes	6/12	6/12	6/12/12	<b>Children; protection;</b> ex parte emergency removal order allowing the department of human services to take protective custody of a child; allow. ( <b>Sen. R. Jones</b> )
164		0744	Yes	6/14	6/14	6/14/12	<b>Environmental protection;</b> permits; permit processing period; extend at request of applicant under certain circumstances. ( <b>Sen. M. Kowall</b> )
165		0300	No	6/14	6/14	3/28/13 #	<b>Insurance; essential;</b> use of credit information and credit scoring; regulate. ( <b>Sen. J. Gleason</b> )
166		0937	Yes	6/14	6/14	6/14/12	<b>Insurance; other;</b> receivers; limit powers related to secured instruments. ( <b>Sen. J. Hune</b> )
167		0640	Yes	6/12	6/14	6/14/12	<b>State; buildings;</b> flags of the United States and the state of Michigan flown at state buildings or sold by state agencies; require to be made in the United States. ( <b>Sen. R. Kahn</b> )
168		0465	Yes	6/19	6/19	6/19/12 #	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for crime of financial exploitation of vulnerable adult; revise to reflect increased penalties. ( <b>Sen. D. Hildenbrand</b> )

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	HB	SB					
169		0455	Yes	6/19	6/19	6/19/12 #	<b>Criminal procedure</b> ; sentencing guidelines; sentencing guidelines for certain fraud and embezzlement violations; revise. ( <i>Sen. T. Rocca</i> )
170		0454	Yes	6/19	6/19	6/19/12	<b>Criminal procedure</b> ; evidence; testimony of a vulnerable adult; allow to be presented by videotape or closed-circuit television under certain circumstances. ( <i>Sen. M. Nofs</i> )
171		0457	Yes	6/19	6/19	6/19/12	<b>Counties</b> ; employees and officers; establishment of elderly and vulnerable adult death review team; allow county medical examiner to establish and prescribe its powers and duties. ( <i>Sen. P. Colbeck</i> )
172		0459	Yes	6/19	6/19	6/19/12	<b>Crimes</b> ; fraud; crime of obtaining signature by fraud and penalties for financial exploitation of vulnerable adults; increase under certain circumstances. ( <i>Sen. J. Emmons</i> )
173		0461	Yes	6/19	6/19	10/1/12	<b>Probate</b> ; guardians and conservators; miscellaneous provisions in EPIC regarding legally incapacitated and other protected and vulnerable individuals; revise. ( <i>Sen. T. Schuitmaker</i> )
174		0462	Yes	6/19	6/19	6/19/12	<b>Health facilities</b> ; nursing homes; reporting requirements for abuse or neglect in nursing homes; modify. ( <i>Sen. S. Bieda</i> )
175		0464	Yes	6/19	6/19	6/19/12	<b>Criminal procedure</b> ; other; development of investigative protocols and abuse and neglect interview protocols for vulnerable adults; require by certain agencies. ( <i>Sen. T. Schuitmaker</i> )
176		0466	Yes	6/19	6/19	6/19/12	<b>Law enforcement</b> ; reports; Mozelle senior or vulnerable adult medical alert program; provide for. ( <i>Sen. T. Schuitmaker</i> )
177		0468	Yes	6/19	6/19	6/19/12	<b>Criminal procedure</b> ; arrests; complainant's signature requirement to file a criminal complaint in cases alleging vulnerable adult abuse; prohibit magistrate from refusing to accept complaint because signed upon information and belief by individual other than the victim. ( <i>Sen. G. Hansen</i> )
178	5130		Yes	6/19	6/19	10/1/12	<b>Food</b> ; service establishments; food services laws and regulations; modify. ( <i>Rep. C. Denby</i> )

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## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
179		0723	Yes	6/19	6/19	6/19/12	<b>Health facilities; patient directives;</b> peace of mind registry; create, and provide for registration of and access to peace of mind directives. ( <i>Sen. J. Marleau</i> )
180	5338		Yes	6/19	6/19	6/19/12 #	<b>Controlled substances; schedules;</b> certain procedures for scheduling controlled substances; revise, and provide criteria for determining whether a substance constitutes an imitation controlled substance. ( <i>Rep. E. McBroom</i> )
181	5714		Yes	6/19	6/19	6/19/12 #	<b>Administrative procedure; rules;</b> promulgation of an emergency rule for scheduling certain controlled substances; allow. ( <i>Rep. P. Somerville</i> )
182		0789	Yes	6/19	6/19	6/19/12 #	<b>Controlled substances; schedules;</b> certain procedures for scheduling controlled substances; revise. ( <i>Sen. R. Jones</i> )
183		1082	Yes	6/19	6/19	7/1/12	<b>Controlled substances; schedules;</b> certain synthetic substances; classify as schedule 1 controlled substances and prohibit sales and offer to sell certain products represented to have the effects of certain controlled substances. ( <i>Sen. D. Hildenbrand</i> )
184		0322	Yes	6/14	6/20	6/20/12 #	<b>Property tax; payment and collection;</b> summer collection of certain winter taxes; provide for under certain circumstances. ( <i>Sen. D. Hildenbrand</i> )
185		0323	Yes	6/14	6/20	6/20/12 #	<b>Property tax; payment and collection;</b> summer tax collection for municipalities; modify. ( <i>Sen. J. Proos</i> )
186		0721	Yes	6/14	6/20	12/18/12	<b>Occupations; business licensing and regulation;</b> purchases of plastic bulk merchandise containers; regulate dealers and transactions. ( <i>Sen. R. Jones</i> )
187		0722	Yes	6/14	6/20	6/20/12 #	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for crime of purchasing or selling stolen plastic bulk merchandise containers; provide for. ( <i>Sen. J. Marleau</i> )
188		0930	Yes	6/20	6/20	6/20/12 +	<b>Taxation; tobacco;</b> tax administration, enforcement, and distribution; modify. ( <i>Sen. R. Kahn</i> )

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	HB	SB					
189		1077	Yes	6/19	6/20	6/20/12	<b>Gaming</b> ; bingo and charitable gaming; raffle license; allow to be issued to a fraternal organization that is not affiliated with a national organization. (Sen. T. Casperson)
190		1090	Yes	6/14	6/20	6/20/12	<b>Environmental protection</b> ; cleanups; compliance with response activity requirements providing for venting groundwater; modify. (Sen. T. Casperson)
191	5573		Yes	6/20	6/20	6/20/12	<b>Townships</b> ; charter; establishment and maintenance of a free public library; revise population threshold. (Rep. A. Forlini)
192	5541		Yes	6/25	6/26	6/26/12	<b>Appropriations</b> ; supplemental; capital outlay supplemental for fiscal year 2011-2012; provide for. (Rep. E. Kowall)
193	5717		Yes	6/26	6/26	6/26/12	<b>Agriculture</b> ; other; agricultural loan program for certain agricultural disasters; provide for. (Rep. R. Franz)
194	5562		Yes	6/25	6/26	7/1/12	<b>Crimes</b> ; crimes against minors; child abuse penalties; enhance, and provide penalties for crimes involving the commission of child abuse in the presence of another child. (Rep. M. Lori)
195	5563		Yes	6/26	6/26	7/1/12 #	<b>Criminal procedure</b> ; sentencing guidelines; sentencing guidelines for crime of first degree and second degree child abuse; revise, and provide penalties for crimes involving the commission of child abuse in the presence of another child. (Rep. J. Graves)
196	4724		Yes	6/26	6/26	6/26/12	<b>Human services</b> ; food assistance; replacement costs for lost or stolen bridge card; clarify. (Rep. B. Genetski)
197		0109	Yes	6/25	6/26	6/26/12	<b>Human services</b> ; services or financial assistance; access to cash benefits from automatic teller machines (ATMs) located in casinos; prohibit. (Sen. R. Jones)
198	4513		Yes	6/26	6/26	6/26/12 #	<b>Education</b> ; attendance; age and date requirement for entering school; revise in school code. (Rep. R. Franz)

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	HB	SB					
199		0316	Yes	6/25	6/26	6/26/12 #	<b>School aid; membership;</b> age and date requirement for entering school and being counted in membership; revise in school aid act. <b>(Sen. D. Booher)</b>
200	5365		Yes	6/26	6/26	6/26/12 +	<b>Appropriations; zero budget;</b> omnibus budget appropriations bill; provide for. <b>(Rep. C. Moss)</b>
201	5372		Yes	6/25	6/26	6/26/12	<b>Appropriations; school aid;</b> fiscal year 2012-2013 omnibus appropriations for school aid, higher education, and community colleges; provide for. <b>(Rep. B. Genetski)</b>
202	5560		Yes	6/25	6/27	9/1/12	<b>Crimes; disorderly conduct;</b> elements for crime of disrupting a religious service; revise, and provide for increased penalties. <b>(Rep. D. Shaughnessy)</b>
203		1034	Yes	6/25	6/27	6/27/12	<b>Vehicles; registration;</b> multiple reinstatements of license suspended for nonpayment of driver responsibility fee; allow under certain circumstances. <b>(Sen. D. Hildenbrand)</b>
204	4455		Yes	6/26	6/27	6/27/12	<b>Insurance; no-fault;</b> duties of the assigned claims facility; transfer to Michigan automobile insurance placement facility and transfer duties regarding self-insurers from the secretary of state to the insurance commissioner. <b>(Rep. D. Shaughnessy)</b>
205	4593		No	6/26	6/27	3/28/13 #	<b>Insurance; essential;</b> use of credit information and credit scoring; regulate. <b>(Rep. B. Giarson)</b>
206	4594		No	6/26	6/27	3/28/13 #	<b>Insurance; essential;</b> use of credit information and credit scoring; regulate. <b>(Rep. P. Opsommer)</b>
207	4595		No	6/26	6/27	3/28/13 #	<b>Insurance; essential;</b> use of credit information and credit scoring; regulate. <b>(Rep. D. Shaughnessy)</b>
208	4596		No	6/26	6/27	3/28/13 #	<b>Insurance; essential;</b> use of credit information and credit scoring; regulate. <b>(Rep. L. Howze)</b>

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	HB	SB					
209	5131		Yes	6/26	6/27	6/27/12	<b>Health</b> ; <i>pharmaceuticals</i> ; duties of prescribers and agents; clarify, and modify certain pharmacy practices regarding the electronic transmission of prescriptions. (Rep. L. Liss)
210	5441		Yes	6/26	6/27	10/1/12	<b>Probate</b> ; <i>guardians and conservators</i> ; duties of guardian ad litem; revise. (Rep. H. Hughes)
211	5543		Yes	6/26	6/27	6/27/12	<b>Taxation</b> ; <i>administration</i> ; effect of filing a return; clarify. (Rep. A. Pscholka)
212	5611		Yes	6/26	6/27	6/27/12	<b>Liquor</b> ; <i>licenses</i> ; sale of alcohol at certain sporting events held at a university's outdoor stadium; allow. (Rep. M. Ouimet)
213	5660		Yes	6/25	6/27	6/27/12	<b>Trade</b> ; <i>containers</i> ; biodegradable containers and certain containers made of aluminum and plastic or paper; exempt from bottle deposit. (Rep. J. Stamas)
214	5408		Yes	6/25	6/28	6/28/12	<b>Insurance</b> ; <i>health care corporations</i> ; denial of coverage for telemedicine services; prohibit. (Rep. G. Haines)
215	5421		Yes	6/25	6/28	6/28/12	<b>Insurance</b> ; <i>health</i> ; denial of coverage for telemedicine services; prohibit. (Rep. M. Lori)
216		1094	Yes	6/27	6/28	1/1/13	<b>Employment security</b> ; <i>benefits</i> ; eligibility when receiving reduced wages under a shared-work plan; allow. (Sen. B. Caswell)
217		1104	Yes	6/25	6/28	6/28/12	<b>Income tax</b> ; <i>collections</i> ; withholding requirements for certain qualified charitable gift annuities and for flow-through entities; clarify. (Sen. M. Jansen)
218		1106	Yes	6/27	6/28	6/28/12	<b>Employment security</b> ; <i>benefits</i> ; eligibility restrictions that apply to family members of certain business owners; remove. (Sen. B. Caswell)

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	HB	SB					
219		1107	Yes	6/25	6/28	6/28/12	<b>Employment security; reports;</b> look-back period in reporting for professional employer organization; modify. <b>(Sen. J. Brandenburg)</b>
220	5340		Yes	6/26	6/28	6/28/12	<b>Property tax; tax tribunal;</b> judgment interest rate; revise. <b>(Rep. J. Gilbert)</b>
221	5477		Yes	6/28	6/28	6/28/12	<b>State financing and management; funds;</b> 21st century jobs trust fund; modify. <b>(Rep. W. Schmidt)</b>
222	5646		Yes	6/28	6/28	6/28/12	<b>Economic development; other;</b> exemption of certain parcels from the eligible tax reverted property specific tax; provide for. <b>(Rep. W. Schmidt)</b>
223	5699		Yes	6/27	6/29	6/29/12	<b>Income tax; rate;</b> rate reduction; begin on October 1, 2012. <b>(Rep. E. McBroom)</b>
224	5700		Yes	6/28	6/29	6/29/12	<b>Income tax; exemptions;</b> personal exemption; increase. <b>(Rep. H. Hughes)</b>
225		0351	Yes	6/25	6/29	6/29/12	<b>Sales tax; distribution;</b> percentage of sales tax collected on motor fuel to be earmarked to transportation funding in 2013; establish. <b>(Sen. J. Proos)</b>
226	4025		Yes	6/25	6/29	6/29/12	<b>Sales tax; distribution;</b> distribution of certain revenue from aviation fuel to be earmarked into the state aeronautics fund; provide for. <b>(Rep. D. Agema)</b>
227	5044		Yes	6/26	6/29	6/29/12	<b>Highways; name;</b> portion of I-94; designate as the "Auxiliary Lieutenant Dan Kromer Memorial Highway". <b>(Rep. D. Geiss)</b>
228	5045		Yes	6/26	6/29	6/29/12	<b>Highways; name;</b> portion of US-24; designate as the "Corporal Matthew Edwards Memorial Highway". <b>(Rep. D. Geiss)</b>

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	HB	SB					
229	5142		Yes	6/26	6/29	6/29/12	<b>Economic development</b> ; corridor improvement; certain joint authorities; provide for. (Rep. M. Ouimet)
230	5158		Yes	6/26	6/29	6/29/12	<b>State financing and management</b> ; other; audits of contract expenditures for organizations that provide service contract for the state; provide for. (Rep. A. Forlini)
231	5228		Yes	6/26	6/29	6/29/12	<b>Transportation</b> ; carriers; applicability of motor carrier safety act of 1963 to certain commercial vehicles; revise to exclude commercial vehicles weighing under 26,001 pounds. (Rep. G. MacMaster)
232	5287		Yes	6/26	6/29	6/29/12	<b>Education</b> ; financing; investments in certain deposit accounts; authorize, and provide school operating tax exemption for property occupied by a public school academy. (Rep. M. Knollenberg)
233	5553		Yes	6/25	6/29	6/29/12	<b>State financing and management</b> ; budget; statewide single audit; implement. (Rep. C. Denby)
234	5609		Yes	6/26	6/29	6/29/12	<b>Property tax</b> ; delinquent taxes; personal liability for delinquent taxes levied on real property; provide for under certain circumstances. (Rep. M. Huuki)
235		0543	Yes	6/25	6/29	6/29/12	<b>Counties</b> ; boards and commissions; membership on county department of veterans' affairs; modify eligibility criteria. (Sen. J. Brandenburg)
236		0871	Yes	6/29	6/29	6/29/12	<b>Appropriations</b> ; zero budget; supplemental appropriations; provide for fiscal year 2011-2012. (Sen. R. Kahn)
237		1044	Yes	6/25	6/29	6/29/12	<b>State financing and management</b> ; other; sale or exchange of surplus personal property; modify. (Sen. J. Proos)
238		1085	Yes	6/26	6/29	6/29/12	<b>Labor</b> ; fair employment practices; fair and open competition in government contracts act; clarify that the state is acting as a market participant in restricting certain contract requirements. (Sen. J. Moolenaar)

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	HB	SB					
239		1146	Yes	6/25	6/29	6/29/12	<b>Vehicles; historic</b> ; use of historic vehicles during the month of August; designate as exhibition. ( <b>Sen. M. Kowall</b> )
240		0248	Yes	6/28	7/2	7/2/12	<b>Natural resources; land acquisition</b> ; DNR land holdings; limit, and require purchases and sales to be based on strategic plan. ( <b>Sen. T. Casperson</b> )
241		0717	Yes	6/25	7/2	7/2/12	<b>Natural resources; hunting</b> ; hunters helping farmers program; create. ( <b>Sen. J. Proos</b> )
242		0760	Yes	6/25	7/2	1/1/13 #	<b>Weapons; firearms</b> ; definition of pistol; modify, and provide for a grandfather clause under certain circumstances. ( <b>Sen. M. Green</b> )
243		0761	Yes	6/25	7/2	1/1/13 #	<b>Weapons; firearms</b> ; definition of pistol; modify. ( <b>Sen. M. Kowall</b> )
244		0762	Yes	6/25	7/2	1/1/13 #	<b>Weapons; firearms</b> ; definition of pistol; modify. ( <b>Sen. D. Robertson</b> )
245		0897	Yes	6/25	7/2	7/2/12	<b>Natural resources; fishing</b> ; crossbows for fishing; allow department of natural resources to issue order allowing the use of. ( <b>Sen. D. Booher</b> )
246		1045	Yes	6/25	7/2	7/2/12	<b>Natural resources; hunting</b> ; disabled individual hunting on a licensed game bird hunting preserve; allow to possess a firearm in certain motorized vehicles. ( <b>Sen. J. Gleason</b> )
247		1052	Yes	6/25	7/2	7/2/12	<b>Natural resources; shorelands</b> ; beach grooming; allow under certain circumstances. ( <b>Sen. T. Casperson</b> )
248	4913		Yes	6/25	7/2	7/2/12	<b>Property tax; classification</b> ; requirements to withdraw commercial forestland from ad valorem property tax; modify. ( <b>Rep. F. Foster</b> )

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	HB	SB					
249	5164		Yes	6/25	7/2	7/2/12	<b>Watercraft</b> ; <i>other</i> ; livery boats; exclude nonmotorized rafts and boats used by dwelling-renters from definition, exclude nonmotorized canoes and kayaks from inspection requirement, and revise fees for inspection of boats used on certain navigable waters. (Rep. P. Pettalia)
250	5226		Yes	6/25	7/2	7/2/12	<b>Children</b> ; <i>foster care</i> ; criteria for eligibility in the mentored youth hunting program; clarify. (Rep. H. Haugh)
251	5414		Yes	6/25	7/2	7/2/12	<b>Natural resources</b> ; <i>other</i> ; dark sky preserve program; expand. (Rep. F. Foster)
252	5424		Yes	6/26	7/2	7/2/12	<b>Traffic control</b> ; <i>traffic regulation</i> ; axle weight variance for trucks hauling farm products; allow under certain circumstances. (Rep. L. Lyons)
253	5595		Yes	6/26	7/2	7/2/12 #	<b>Agriculture</b> ; <i>weights and measures</i> ; uniform standards and regulations; modify. (Rep. C. Brunner)
254	5596		Yes	6/26	7/2	7/2/12 #	<b>Agriculture</b> ; <i>weights and measures</i> ; uniform standards and regulations; modify. (Rep. K. Daley)
255		0551	Yes	6/26	7/2	7/2/12	<b>Crimes</b> ; <i>other</i> ; possession or use of cellular telephone or wireless device by prisoner in correctional facility; prohibit, and provide for confiscation and disposal of those cellular telephones and wireless devices. (Sen. G. Hansen)
256		0552	Yes	6/26	7/2	7/2/12	<b>Crimes</b> ; <i>other</i> ; distribution, possession, or use of cellular telephone or other wireless communication device in a jail; prohibit, and provide for confiscation and disposal of those cellular telephones and wireless devices. (Sen. G. Hansen)
257		0193	Yes	6/25	7/2	7/2/12	<b>Explosives</b> ; <i>licensing</i> ; Michigan fireworks safety act; amend to provide for additional regulatory sanctions. (Sen. R. Jones)
258		0853	Yes	6/25	7/2	7/2/12	<b>Vehicles</b> ; <i>driver training</i> ; fingerprint and criminal history record information requirements under driver education provider and instructor act; revise, and reduce hours of behind-the-wheel training required under certain circumstances. (Sen. J. Emmons)

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	HB	SB					
259		0861	Yes	6/25	7/2	7/2/12	<b>Corrections; alternatives</b> ; sunset for boot camp program; eliminate. ( <b>Sen. R. Jones</b> )
260	5468		Yes	6/26	7/2	1/1/13	<b>Communications; telecommunications</b> ; collection of 9 -1-1 surcharge on prepaid wireless communication devices; modify. ( <b>Rep. A. Nesbitt</b> )
261	5658		Yes	6/26	7/2	7/2/12	<b>Corrections; other</b> ; use of prison labor by private contractor; allow under certain circumstances. ( <b>Rep. J. Haveman</b> )
262	4146		Yes	6/25	7/2	7/2/12	<b>Vehicles; equipment</b> ; warning lights on commercial snow removal vehicles; require under certain circumstances. ( <b>Rep. J. Gilbert</b> )
263		1030	Yes	6/25	7/3	7/3/12	<b>Traffic control; traffic regulation</b> ; certain requirements for stopping for school bus; revise. ( <b>Sen. B. Caswell</b> )
264		0570	Yes	6/25	7/3	7/3/12	<b>Construction; code</b> ; log walls; permit in residential buildings under certain conditions. ( <b>Sen. M. Green</b> )
265		0698	Yes	6/25	7/3	7/3/12	<b>Family law; marriage and divorce</b> ; persons authorized to solemnize marriage; allow district judges, district court magistrates, and probate judges to perform marriages anywhere in the state. ( <b>Sen. G. Hansen</b> )
266		0699	Yes	6/25	7/3	7/3/12 #	<b>Courts; probate court</b> ; fee charged by probate judge to perform marriages; authorize, and require fee to be paid to probate court in county where ceremony is performed. ( <b>Sen. G. Hansen</b> )
267		0700	Yes	6/25	7/3	7/3/12 #	<b>Courts; district court</b> ; fee charged by district judges and magistrates to perform marriages; authorize state court administrative office to set fee and require fee to be paid to district court in the district where wedding is performed. ( <b>Sen. G. Hansen</b> )
268		0783	Yes	6/25	7/3	7/3/12	<b>Torts; nonmedical malpractice</b> ; certified public accountants; modify protection from liability to nonclients. ( <b>Sen. T. Schuitmaker</b> )

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	HB	SB					
269		0995	Yes	6/25	7/3	7/3/12	<b>Health facilities; emergency medical services;</b> amount of liability coverage required for certain hospital aircraft transport vehicles; modify. <b>(Sen. H. Walker)</b>
270		0751	Yes	7/2	7/3	8/15/12	<b>Elections; qualified voter file;</b> active and inactive qualified voter files; create, require ballot tracker program to be used by local governments, and require the secretary of state to send notice to an elector when receiving a surrendered state driver license of that elector. <b>(Sen. D. Robertson)</b>
271	5062		Yes	6/27	7/3	8/15/12	<b>Elections; other;</b> postelection audits and continuing election education programs; add to the Michigan election law and make other miscellaneous changes to the Michigan election law. <b>(Rep. A. Forlini)</b>
272		0752	Yes	7/2	7/3	7/3/12	<b>Elections; other;</b> absent voting counting board; revise procedure, and require minor political parties to provide notice of county caucus or state convention to nominate candidates. <b>(Sen. G. Hansen)</b>
273	5059		Yes	6/27	7/3	12/30/12 #	<b>Campaign finance; statements and reports;</b> ballot question and political party committee filing requirements; modify. <b>(Rep. S. Tyler)</b>
274		0753	Yes	6/27	7/3	12/30/12	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for certain campaign finance crimes; create. <b>(Sen. J. Brandenburg)</b>
275	5058		Yes	6/27	7/3	1/1/13	<b>Campaign finance; contributions and expenditures;</b> expenditures by candidate committees to defend certain officials in criminal or civil actions; limit. <b>(Rep. M. Knollenberg)</b>
276		0823	Yes	6/27	7/3	8/16/12	<b>Elections; other;</b> general amendments; provide for. <b>(Sen. D. Robertson)</b>
277		0824	Yes	6/28	7/3	7/3/12	<b>Campaign finance; campaign practices;</b> multisection revisions; provide for. <b>(Sen. D. Robertson)</b>
278		0825	Yes	6/27	7/3	8/15/12 #	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for certain Michigan election law violations; enact. <b>(Sen. D. Robertson)</b>

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	HB	SB					
279	5297		Yes	6/26	7/3	8/15/12	<b>Elections</b> ; <i>absent voters</i> ; federal write-in absentee ballot; expand to include state and local candidates and ballot questions, and include certain reporting requirements for local clerks. (Rep. R. Outman)
280	4656		No	6/26	7/3	3/28/13	<b>Elections</b> ; <i>campaign practices</i> ; prohibition for politicians' names to be attached to certain election-related materials sent to voters; provide for. (Rep. A. Forlini)
281	4723		Yes	7/5	7/5	7/5/12	<b>Human services</b> ; <i>food assistance</i> ; issuance of bridge card to inmates; prohibit. (Rep. B. Genetski)
282		0582	Yes	7/5	7/5	7/5/12	<b>Vehicles</b> ; <i>trucks</i> ; permissible weight of certain truck and trailer combinations used to transport boats from the manufacturer; increase. (Sen. T. Casperson)
283	5364		Yes	8/1	8/1	8/1/12	<b>Appropriations</b> ; <i>supplemental</i> ; capital outlay supplemental to provide appropriations from the Michigan natural resources trust fund; provide for. (Rep. E. Kowall)
284	5566		Yes	8/1	8/1	8/1/12 #	<b>Local government</b> ; <i>other</i> ; authorized loan amounts under the emergency municipal loan act; revise, and make other general revisions. (Rep. C. Denby)
285	5567		Yes	8/1	8/1	8/1/12 #	<b>Education</b> ; <i>financing</i> ; permissible uses for school operating millages and repayment of hardship advances and emergency loans; amend revised school code regarding. (Rep. A. Pscholka)
286	5568		Yes	8/1	8/1	8/1/12 #	<b>School aid</b> ; <i>other</i> ; provisions regarding hardship advances and repayment of emergency loans; amend state school aid act to provide for. (Rep. H. Hughes)
287	5569		Yes	8/1	8/1	8/1/12 #	<b>State financing and management</b> ; <i>funds</i> ; disposition of surplus funds from emergency municipal loan act; clarify. (Rep. M. Ouimet)
288	5570		Yes	8/1	8/1	8/1/12 #	<b>State financing and management</b> ; <i>bonds</i> ; municipal bond authority; allow to create an emergency loan board loan. (Rep. B. Rogers)

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## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
289	4718		Yes	8/1	8/1	8/1/12	<b>Occupations</b> ; dental hygienists; supervision of assistants during certain procedures; authorize. (Rep. E. Kowall)
290	5246		Yes	8/1	8/1	8/1/12	<b>Economic development</b> ; local development financing; number of smart zones; increase. (Rep. W. Schmidt)
291	5572		No	8/1	8/1	3/28/13	<b>Human services</b> ; other; support for certain voluntary home visiting programs for primarily new and expectant families; clarify. (Rep. L. Lyons)
292	5577		Yes	8/1	8/1	8/1/12	<b>State</b> ; escheats; uniform unclaimed property act; modify look-back period to 5 years. (Rep. A. Nesbitt)
293		0601	Yes	8/1	8/1	8/1/12	<b>Gaming</b> ; lottery; sale of advertising on club keno lottery games; allow, and earmark revenues. (Sen. M. Kowall)
294		0821	Yes	8/1	8/1	8/1/12	<b>Watercraft</b> ; other; boat liveries; require additional information on application for permit, revise definition of navigable water livery boat, and sunset land acquisition cap upon legislative adoption of strategic plan. (Sen. J. Moolenaar)
295		1160	Yes	8/1	8/1	8/1/12	<b>State financing and management</b> ; funds; homeowner protection fund; establish to receive money from consent judgment with mortgage loan servicers. (Sen. T. Casperson)
296	5015		Yes	8/1	8/1	8/1/12	<b>Appropriations</b> ; supplemental; multidepartment supplemental; provide for fiscal year 2011-2012. (Rep. C. Moss)
297		1130	Yes	8/7	8/7	8/7/12	<b>Natural resources</b> ; sand dunes; local ordinances more protective of dunes; preempt and require impact that is significant and unreasonable on a local-unit-wide basis to justify denial of permit or variance, limit right to request formal hearing to applicant and adjacent landowner, place burden of proof on department, and require issuance of permits for driveways and accessibility measures under certain circumstances. (Sen. A. Meekhof)
298	5007		Yes	8/23	8/23	8/23/12	<b>Transportation</b> ; funds; financial performance audits; require of the department of treasury. (Rep. P. Somerville)

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## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
299	5146		Yes	8/23	8/23	1/1/06	<b>Use tax; collections;</b> tax for use or consumption for a manufacturer that affixes a product to real estate; clarify. (Rep. P. MacGregor)
300		1040	Yes	9/4	9/4	9/4/12	<b>Retirement; public school employees;</b> member contributions; increase contribution to member investment plan and require all Tier 1 members to contribute at least 5% of compensation. (Sen. R. Kahn)
301	5452		Yes	9/25	9/25	9/25/12	<b>Natural resources; fishing;</b> prohibition on spearing fish in Houghton lake; repeal. (Rep. B. Rendon)
302	5154		No	9/25	9/25	3/28/13	<b>Probate; trusts;</b> uniform principal and income act; modify. (Rep. J. Walsh)
303	5237		Yes	9/25	9/25	9/25/12	<b>Probate; wills and estates;</b> administration and distribution of estates of decedents who die after December 31, 2009 and before January 1, 2011; modify. (Rep. M. Ouimet)
304	5592		Yes	9/25	9/25	9/25/12	<b>Civil procedure; garnishment;</b> effective period for writ of wage garnishment; extend. (Rep. M. Lane)
305	5400		Yes	9/30	10/1	10/1/12	<b>Appropriations; zero budget;</b> multidepartment supplemental appropriations; provide for fiscal year 2012-2013. (Rep. C. Moss)
306		0809	Yes	9/30	10/1	10/1/12	<b>Traffic control; other;</b> eligibility for sobriety court; clarify, extend the license revocation period for certain convictions, and amend certain provisions concerning the possession or transport of open alcoholic liquor container in a vehicle. (Sen. T. Schuitmaker)
307		1258	Yes	9/30	10/1	10/1/12	<b>Trade; securities;</b> filing fees for registration under uniform securities act; revise. (Sen. M. Jansen)
308		1259	Yes	9/30	10/1	10/1/12	<b>Occupations; licensing fees;</b> licensing and regulation fund; establish, and revise fees for various professions. (Sen. M. Jansen)

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## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
309	5819		Yes	9/30	10/1	10/1/12	<b>Businesses; nonprofit corporations;</b> fees for filing certain reports; revise, and waive fees for certain veterans. (Rep. A. Pscholka)
310	5820		Yes	9/30	10/1	10/1/12	<b>Businesses; limited liability companies;</b> annual statement of resident agent and registered office fee; revise. (Rep. A. Pscholka)
311	5821		Yes	9/30	10/1	10/1/12	<b>Occupations; licensing fees;</b> licensing, examination, and reinstatement fee for plumbers and plumbing contractors; revise. (Rep. A. Pscholka)
312	5822		Yes	9/30	10/1	10/1/12	<b>Occupations; licensing fees;</b> examination and license fees for mechanical contractors; revise. (Rep. A. Pscholka)
313	5823		Yes	9/30	10/1	10/1/12	<b>Occupations; licensing fees;</b> license and examinations; fees for electricians and electrical contractors; revise. (Rep. A. Pscholka)
314	5824		Yes	9/30	10/1	10/1/12	<b>Occupations; licensing fees;</b> registration fee for building officials and inspectors; revise. (Rep. A. Pscholka)
315	5893		Yes	9/30	10/1	10/1/12	<b>Businesses; business corporations;</b> annual report fee; revise. (Rep. A. Pscholka)
316	5581		Yes	9/30	10/1	10/1/12	<b>Agriculture; pesticides;</b> pesticide applicator fee; extend sunset. (Rep. P. Potvin)
317	5784		Yes	9/30	10/1	10/1/12	<b>Agriculture; animals;</b> livestock dealers act; modify. (Rep. B. Glardon)
318	5793		Yes	9/30	10/1	10/1/12	<b>Law enforcement; fingerprinting;</b> processing fees for fingerprinting and criminal record checks; extend sunset. (Rep. C. Moss)

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## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
319		1109	Yes	9/30	10/1	10/1/12	<b>Criminal procedure</b> ; sentencing; sentencing of certain habitual offenders; modify. ( <b>Sen. R. Jones</b> )
320		0637	No	10/5	10/5	3/28/13 #	<b>Education</b> ; school districts; certain display of United States flag in public school; require. ( <b>Sen. R. Kahn</b> )
321	4934		Yes	10/5	10/5	10/5/12 #	<b>Education</b> ; school districts; opportunity for students to recite the "Pledge of Allegiance" in public schools each school day; require. ( <b>Rep. K. Cotter</b> )
322		0884	Yes	10/9	10/9	10/9/12	<b>Health facilities</b> ; nursing homes; nursing home survey process; modify. ( <b>Sen. G. Hansen</b> )
323		0388	Yes	10/9	10/9	1/1/13	<b>Criminal procedure</b> ; sentencing guidelines; sentencing guidelines for crime of fleeing and eluding a peace officer; revise crime class to increase minimum sentence ranges. ( <b>Sen. J. Gleason</b> )
324		0990	Yes	10/9	10/9	10/9/12	<b>Property tax</b> ; principal residence exemption; individual moving into assisted living facility; allow to retain principal residence exemption and clarify contiguity requirement. ( <b>Sen. B. Caswell</b> )
325		1004	Yes	10/9	10/9	10/9/12	<b>Taxation</b> ; tobacco; cap on cigar tax and certain notices; provide for. ( <b>Sen. A. Meekhof</b> )
326		1123	Yes	10/9	10/9	10/9/12	<b>Housing</b> ; housing development authority; authority to make, purchase, or participate in certain loans; grant. ( <b>Sen. M. Jansen</b> )
327		1124	Yes	10/9	10/9	10/9/12	<b>Housing</b> ; housing development authority; escrow accounts in which authority funds are held; define. ( <b>Sen. M. Jansen</b> )
328		1125	Yes	10/9	10/9	10/9/12	<b>Housing</b> ; housing development authority; limit on principal amount of bonds and notes; increase. ( <b>Sen. M. Kowall</b> )

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PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
329		1129	Yes	10/9	10/9	10/9/12	<b>State financing and management</b> ; bonds; certain types of bonds; provide for. ( <i>Sen. P. Colbeck</i> )
330	5431		Yes	10/16	10/16	1/1/13	<b>Crimes</b> ; other; false report of medical or other emergency; prohibit and provide for a penalty and reimbursement of certain expenses. ( <i>Rep. K. Heise</i> )
331	5432		Yes	10/15	10/16	1/1/13 #	<b>Criminal procedure</b> ; other; reimbursement of certain expenses resulting from false reports of medical and other emergencies; provide for. ( <i>Rep. P. Somerville</i> )
332	5433		Yes	10/16	10/16	1/1/13 #	<b>Criminal procedure</b> ; sentencing guidelines; sentencing guidelines for crime of making false report of medical or other emergency; enact. ( <i>Rep. K. Cotter</i> )
333	5128		Yes	10/16	10/16	1/1/13	<b>Courts</b> ; other; business court; create. ( <i>Rep. J. Walsh</i> )
334	5159		Yes	10/16	10/16	10/16/12 #	<b>Courts</b> ; circuit court; veterans treatment court; provide for the state drug treatment court advisory committee to monitor. ( <i>Rep. W. Schmidt</i> )
335	5162		Yes	10/16	10/16	10/16/12 #	<b>Courts</b> ; circuit court; veterans treatment court; create. ( <i>Rep. K. Damrow</i> )
336	4928		Yes	10/16	10/16	10/16/12	<b>Property</b> ; other; affidavits to correct errors or omissions relating to previously recorded documents; allow. ( <i>Rep. K. Cotter</i> )
337	5053		Yes	10/16	10/16	10/16/12	<b>Natural resources</b> ; fishing; export of live minnows, wigglers, or crayfish as bait; allow. ( <i>Rep. M. Shirkey</i> )
338	5124		Yes	10/16	10/16	1/1/13	<b>Courts</b> ; circuit court; concurrent jurisdiction in certain courts; establish. ( <i>Rep. K. Cotter</i> )

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	HB	SB					
339	5292		Yes	10/16	10/16	3/1/13	<b>Natural resources; fishing;</b> waiver of fishing and hunting license fees for disabled veterans; provide for. (Rep. H. Hughes)
340	5322		Yes	10/16	10/16	10/16/12	<b>Natural resources; hunting;</b> individual at sporting clays range; allow to transport or possess a firearm in a vehicle. (Rep. K. Heise)
341	5391		No	10/16	10/16	3/28/13	<b>Transportation; other;</b> fingerprinting of applicants or licensees in public transit system; allow. (Rep. M. Huuki)
342		1122	No	10/23	10/23	3/28/13 #	<b>Health; children;</b> youth athletes; require department to develop educational materials and training program regarding concussions in athletes and their return to athletic activity. (Sen. J. Proos)
343	5697		No	10/23	10/23	3/28/13 #	<b>Health; children;</b> concussion protocols regarding youth athletes; require compliance with by certain entities that sponsor athletic events. (Rep. T. Hooker)
344	5617		Yes	11/7	11/7	11/7/12	<b>Housing; housing development authority;</b> eligibility for certain residential loans; modify income requirement. (Rep. D. Zorn)
345	5618		Yes	11/7	11/7	11/7/12	<b>Housing; housing development authority;</b> requirement that multifamily housing project be located in eligible distressed area; eliminate as condition for certain loans. (Rep. D. Shaughnessy)
346	5620		Yes	11/7	11/7	11/7/12	<b>Housing; housing development authority;</b> mortgage credit certificate program; revise eligibility. (Rep. W. Schmidt)
347		0797	No	12/5	12/5	3/28/13	<b>Retirement; investments;</b> investment of assets of public employee retirement systems; clarify regarding professional education and training, including travel, for board members, specify procedures for removal of board members, and update definitions regarding global securities. (Sen. M. Jansen)
348		0116	No	12/11	12/11	3/28/13	<b>Labor; collective bargaining;</b> requirement for agency fee for nonunion members; prohibit in bargaining agreements and as a condition of employment in the private sector. (Sen. A. Meekhof)

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## 2012 Michigan Public Acts Table

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	HB	SB					
349	4003		No	12/11	12/11	3/28/13	<b>Labor</b> ; <i>public service employment</i> ; requirement for agency fee for nonunion members; prohibit in bargaining agreements and as a condition of employment. (Rep. P. Opsommer)
350		0356	Yes	12/12	12/13	12/13/12	<b>Crimes</b> ; <i>animals</i> ; forfeiture of real property used in the commission of animal fighting; allow. (Sen. R. Jones)
351		0358	Yes	12/12	12/13	12/13/12	<b>Crimes</b> ; <i>animals</i> ; racketeering statute; include animal fighting as predicate offense. (Sen. S. Bieda)
352	5789		Yes	12/12	12/13	12/13/12	<b>Civil procedure</b> ; <i>civil actions</i> ; property on which animal fighting is conducted; declare to be a nuisance. (Rep. A. LaFontaine)
353	5284		Yes	12/12	12/13	1/1/13	<b>Crimes</b> ; <i>computer</i> ; definition of computer; expand to include certain electronic communication devices. (Rep. J. Walsh)
354		0402	Yes	12/12	12/13	12/13/12 #	<b>Occupations</b> ; <i>physicians</i> ; voluntary reporting to secretary of state patients with conditions that affect ability to operate a motor vehicle; allow, and provide for immunity. (Sen. T. Schuitmaker)
355		0403	Yes	12/12	12/13	12/13/12 #	<b>Traffic control</b> ; <i>driver license</i> ; examination regarding existence of certain medical condition affecting applicant's ability to operate safely; revise and clarify. (Sen. T. Schuitmaker)
356		0564	No	12/12	12/13	3/28/13	<b>Human services</b> ; <i>medical services</i> ; premiums for medicaid "freedom to work" program; modify. (Sen. T. Schuitmaker)
357		1001	No	12/12	12/13	3/28/13	<b>Family law</b> ; <i>child support</i> ; fee for collecting and processing child support withholdings; provide for. (Sen. B. Caswell)
358		1108	Yes	12/12	12/13	12/13/12	<b>Businesses</b> ; <i>other</i> ; business development enterprises; authorize under Michigan BIDCO act. (Sen. D. Booher)

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	HB	SB					
359		1360	Yes	12/14	12/14	12/14/12	<b>Retirement</b> ; public school employees; deadline to elect pension contribution limits; extend. ( <i>Sen. R. Kahn</i> )
360		0688	No	12/13	12/14	4/1/13 #	<b>Crimes</b> ; perjury; unsworn declaration made under penalty of perjury; include as a statement punishable as perjury. ( <i>Sen. T. Schuitmaker</i> )
361		0689	No	12/13	12/14	4/1/13 #	<b>Civil procedure</b> ; evidence; uniform unsworn foreign declarations act; create. ( <i>Sen. T. Schuitmaker</i> )
362		0707	No	12/13	12/14	4/1/13	<b>Civil procedure</b> ; discovery; uniform interstate depositions and discovery act; adopt. ( <i>Sen. T. Schuitmaker</i> )
363		0726	No	12/14	12/14	3/28/13	<b>Criminal procedure</b> ; statute of limitations; statute of limitations for certain crimes; revise. ( <i>Sen. R. Jones</i> )
364		0845	No	12/14	12/14	4/1/13	<b>Criminal procedure</b> ; sentencing; penalties for domestic violence with prior conviction; allow to be enhanced with a deferred and dismissed conviction. ( <i>Sen. R. Jones</i> )
365		0846	No	12/14	12/14	4/1/13 #	<b>Criminal procedure</b> ; sentencing guidelines; sentencing guidelines for crime of domestic violence with prior conviction; enact. ( <i>Sen. T. Rocca</i> )
366		0847	No	12/14	12/14	4/1/13	<b>Crimes</b> ; penalties; crimes of domestic violence assault with prior offenses; increase penalties. ( <i>Sen. T. Schuitmaker</i> )
367		0848	No	12/14	12/14	4/1/13	<b>Crimes</b> ; other; assault by strangulation or suffocation as assault with intent to do great bodily harm less than murder; specify. ( <i>Sen. S. Bieda</i> )
368		0862	Yes	12/14	12/14	12/14/12	<b>Property tax</b> ; assessments; certain property deemed qualified agricultural property for purposes of assessment; allow for all contiguous property owned by the landowner to also be deemed agricultural. ( <i>Sen. B. Caswell</i> )

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	HB	SB					
369		0901	No	12/14	12/14	7/1/13 #	<b>Civil procedure; alternate dispute resolution; condominium act; revise arbitration provisions to reflect adoption of uniform arbitration act.</b> <b>(Sen. T. Schuitmaker)</b>
370		0902	No	12/14	12/14	7/1/13 #	<b>Civil procedure; alternate dispute resolution; arbitration; make arbitration provisions of the revised judicature act subject to uniform arbitration act.</b> <b>(Sen. T. Schuitmaker)</b>
371		0903	No	12/14	12/14	7/1/13 #	<b>Civil procedure; alternate dispute resolution; uniform arbitration act; enact.</b> <b>(Sen. T. Schuitmaker)</b>
372		0934	No	12/14	12/14	4/1/13	<b>Crimes; criminal sexual conduct; sexual penetration or contact of a foster child regardless of age by certain care providers; prohibit during residency.</b> <b>(Sen. R. Jones)</b>
373		1039	Yes	12/14	12/14	12/14/12	<b>Property; conveyances; certain state-owned property located in Jackson county; exchange for certain privately owned property.</b> <b>(Sen. M. Nofs)</b>
374		1056	Yes	12/14	12/14	12/14/12	<b>Law enforcement; fingerprinting; criminal identification and records; expand to include biometric data.</b> <b>(Sen. R. Jones)</b>
375		1195	No	12/14	12/14	3/28/13 #	<b>Mental health; code; entities to hold a medicaid specialty services contract; clarify.</b> <b>(Sen. B. Caswell)</b>
376		1196	No	12/14	12/14	3/28/13	<b>Mental health; community mental health; board membership on certain community mental health services board; revise, and establish as a community mental health authority.</b> <b>(Sen. B. Caswell)</b>
377	5225		Yes	12/18	12/18	12/18/12	<b>Weapons; firearms; certain procedures for purchase and possession of pistols; revise.</b> <b>(Rep. P. Opsommer)</b>
378		0984	Yes	12/18	12/18	12/18/12	<b>Weapons; firearms; procedures for out-of-state purchase of rifles and shotguns; clarify.</b> <b>(Sen. T. Casperson)</b>

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	HB	SB					
379	5582		Yes	12/18	12/19	12/19/12	<b>Occupations; electricians</b> ; use of certain military experience as the basis for licensure; authorize. (Rep. G. Haines)
380	5583		Yes	12/18	12/19	12/19/12	<b>Occupations; plumbers</b> ; use of certain military experience as the basis for licensure; authorize. (Rep. M. Ouimet)
381	4096		Yes	12/18	12/19	12/19/12	<b>State financing and management; purchasing</b> ; searchable database listing of all state expenditures; create. (Rep. K. Cotter)
382	4860		Yes	12/18	12/19	12/19/12	<b>Property tax; assessments</b> ; penalty for failure to notify assessing office of transfer of ownership of property; modify. (Rep. J. Stamas)
383	5089		No	12/18	12/19	3/28/13 #	<b>Health; pharmaceuticals</b> ; unused prescription drug repository and distribution program; create, establish duties relating to the program, provide immunity under certain circumstances, and require the promulgation of rules. (Rep. J. Johnson)
384	5090		No	12/18	12/19	3/28/13 #	<b>Health; pharmaceuticals</b> ; acceptance and destruction or disposal of drugs or medications not eligible for distribution; require. (Rep. J. Ananich)
385	5096		Yes	12/18	12/19	12/19/12	<b>Children; adoption</b> ; surrendered adoptees obtaining certain identifying information; prohibit. (Rep. A. Price)
386	5097		Yes	12/18	12/19	12/19/12	<b>Children; parental rights</b> ; provision relating to parent who voluntarily surrendered a child to an emergency service provider; eliminate. (Rep. A. Price)
387		0909	Yes	12/19	12/19	12/19/12	<b>Transportation; other</b> ; regional transit authority; establish. (Sen. T. Casperson)
388		0911	No	12/19	12/19	3/28/13 #	<b>Vehicles; registration</b> ; optional registration taxes for regional transit authority; allow. (Sen. B. Johnson)

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## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
389		0912	No	12/19	12/19	3/28/13 #	<b>Land use; zoning and growth management;</b> Michigan zoning enabling act; amend to exempt regional transit authority public transit facilities from local zoning ordinances or regulations. <b>(Sen. B. Johnson)</b>
390		0967	No	12/19	12/19	3/28/13 #	<b>Transportation; other;</b> state rights-of-way on state roads; allow dedication of lanes for public transit. <b>(Sen. V. Smith)</b>
391		0445	Yes	12/19	12/19	12/19/12 #	<b>Transportation; funds;</b> funding for a regional transit authority; provide for. <b>(Sen. R. Warren)</b>
392	5688		Yes	12/19	12/19	12/19/12 #	<b>Local government; authorities;</b> municipal lighting authority act; create. <b>(Rep. M. Stapleton)</b>
393	5705		Yes	12/19	12/19	12/19/12 #	<b>Taxation; utility users;</b> city utility users tax act; amend to allow portion of tax to be used to fund public lighting. <b>(Rep. J. Walsh)</b>
394		0970	Yes	12/19	12/19	12/19/12 #	<b>Income tax; city;</b> rollback and maximum tax rate for residents and nonresidents within certain cities; eliminate rollback and reduce rate under certain circumstances. <b>(Sen. B. Johnson)</b>
395	5926		Yes	12/19	12/19	12/19/12	<b>Economic development; Michigan strategic fund;</b> community revitalization program; clarify eligible investment definition, allow multiple applicants, and revise disbursement schedule. <b>(Rep. B. Jacobsen)</b>
396	5463		Yes	12/19	12/19	12/19/12	<b>Economic development; downtown development authorities;</b> bylaws of authorities and taxable status; modify. <b>(Rep. J. Walsh)</b>
397		1065	No	12/20	12/20	3/28/13	<b>Economic development; plant rehabilitation;</b> eligible manufacturing personal property abatement; extend. <b>(Sen. J. Brandenburg)</b>
398		1066	No	12/20	12/20	3/28/13	<b>Economic development; other;</b> eligible manufacturing personal property abatement for technology parks; extend. <b>(Sen. D. Robertson)</b>

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	HB	SB					
399		1067	No	12/20	12/20	3/28/13	<b>Property tax; exemptions</b> ; existing exemptions for industrial personal property; continue. ( <b>Sen. B. Caswell</b> )
400		1068	No	12/20	12/20	3/28/13	<b>Economic development; enterprise zones</b> ; eligible manufacturing personal property abatement; extend. ( <b>Sen. D. Robertson</b> )
401		1069	No	12/20	12/20	3/28/13	<b>Property tax; personal property</b> ; new industrial personal property; exempt. ( <b>Sen. D. Hildenbrand</b> )
402		1070	No	12/20	12/20	3/28/13	<b>Property tax; personal property</b> ; less than certain value; exempt. ( <b>Sen. M. Nofs</b> )
403		1071	Yes	12/20	12/20	3/28/13	<b>Property tax; personal property</b> ; industrial personal property; exempt. ( <b>Sen. M. Nofs</b> )
404	6022		No	12/20	12/20	pending	<b>Taxation; other</b> ; duties and responsibilities of certain authorities; transfer and modify. ( <b>Rep. J. Gilbert</b> )
405	6023		Yes	12/20	12/20	10/1/11	<b>Michigan business tax; revenue distribution</b> ; revenue earmarked into the school aid fund; sunset after fiscal year 2010-2011. ( <b>Rep. J. Gilbert</b> )
406	6024		No	12/20	12/20	pending	<b>Property tax; special assessments</b> ; essential services assessment; provide for. ( <b>Rep. J. Gilbert</b> )
407	6025		No	12/20	12/20	pending	<b>Taxation; other</b> ; statewide metropolitan authority; create. ( <b>Rep. J. Gilbert</b> )
408	6026		No	12/20	12/20	pending	<b>Use tax; rate</b> ; division between state component and metropolitan authority's component; provide for, and direct distribution. ( <b>Rep. J. Gilbert</b> )

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	HB	SB					
409	6007		Yes	12/20	12/20	12/20/12 #	<b>Property tax; exemptions;</b> property taxes; exempt certain mineral producing property. (Rep. M. Huuki)
410	6008		Yes	12/20	12/20	12/20/12 #	<b>Taxation; severance;</b> nonferrous metallic minerals extraction severance tax; enact. (Rep. M. Huuki)
411	6009		Yes	12/20	12/20	12/20/12 #	<b>Natural resources; mining;</b> rural development fund; create. (Rep. M. Huuki)
412	6010		Yes	12/20	12/20	12/20/12 #	<b>Sales tax; exemptions;</b> tax exemption for certain mining property; provide for. (Rep. M. Huuki)
413	6011		Yes	12/20	12/20	12/20/12 #	<b>Use tax; exemptions;</b> tax exemption for certain mining property; provide for. (Rep. M. Huuki)
414	6012		Yes	12/20	12/20	12/20/12 #	<b>Income tax; exemptions;</b> tax exemption for certain mining entities; provide for. (Rep. M. Huuki)
415		1335	Yes	12/20	12/20	12/27/12 #	<b>Labor; health and safety;</b> "clear and convincing need" for new standard; clarify, and remove references to abolished commissions. (Sen. T. Schuitmaker)
416	5922		Yes	12/20	12/20	12/27/12 #	<b>Labor; health and safety;</b> general industry safety standards commission; eliminate. (Rep. J. Bumstead)
417	6060		Yes	12/20	12/20	12/20/12	<b>Elections; recall;</b> recall procedure; revise. (Rep. A. Forlini)
418	6063		Yes	12/20	12/20	12/20/12	<b>Elections; recall;</b> time to submit recall petition to the board of state canvassers or the board of county election commissioners; provide for. (Rep. H. Haugh)

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	HB	SB					
419	5590		Yes	12/20	12/21	12/21/12	<b>Occupations</b> ; security guards; use of certain military experience as the basis for licensure; authorize. (Rep. J. Graves)
420	4115		Yes	12/20	12/21	12/21/12	<b>Townships</b> ; employees and officers; administering oath of office; allow township supervisor to perform. (Rep. N. Jenkins)
421	4609		Yes	12/20	12/21	12/21/12	<b>Transportation</b> ; railroads; funding to maintain railroad grade crossings; increase. (Rep. W. Schmidt)
422	5055		Yes	12/20	12/21	12/21/12	<b>Employment security</b> ; administration; privilege for testimony in Michigan employment security commission proceedings; provide waiver under certain circumstances. (Rep. H. Hughes)
423	5196		Yes	12/20	12/21	12/21/12	<b>Public employees and officers</b> ; compensation and benefits; details of compensation package and severance payment agreements for employees; require posting. (Rep. T. McMillin)
424	5259		Yes	12/20	12/21	12/21/12	<b>Vehicles</b> ; mopeds; definition of mopeds; allow greater engine displacement and remove horsepower threshold. (Rep. R. LeBlanc)
425	5269		Yes	12/20	12/21	12/21/12	<b>Occupations</b> ; notaries public; crimes requiring revocation of notary's commission; revise. (Rep. H. Hughes)
426	5271		No	12/20	12/21	4/1/14 #	<b>Occupations</b> ; appraisers; appraisal management companies; establish license and application fees. (Rep. M. O'Brien)
427	5282		Yes	12/20	12/21	12/21/12	<b>Weapons</b> ; other; transportation of firearms for lawful purpose; expand. (Rep. B. Rendon)
428	5437		Yes	12/20	12/21	12/21/12	<b>Gaming</b> ; lottery; deductions from lottery prize money; require deduction for unemployment compensation debts. (Rep. D. Zorn)

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	HB	SB					
429	5445		Yes	12/20	12/21	12/21/12	<b>Use tax; exemptions;</b> definition of rolling stock used by an interstate fleet motor carrier; clarify. (Rep. J. Gilbert)
430	5831		Yes	12/20	12/21	12/21/12	<b>State agencies (existing); technology, management, and budget;</b> funding and approval of capital outlay project; clarify. (Rep. E. Kowall)
431	5839		Yes	12/20	12/21	12/21/12	<b>Property tax; delinquent taxes;</b> county treasurer's collection of a commission on delinquent property taxes; eliminate. (Rep. M. Knollenberg)
432	5881		Yes	12/20	12/21	12/21/12	<b>Retirement; state employees;</b> retired corrections officers to work as needed; allow under certain circumstances without losing retirement allowance. (Rep. J. Haveman)
433	5952		Yes	12/20	12/21	12/21/12	<b>Communications; telecommunications;</b> 9-1-1 surcharge on prepaid wireless communication devices; modify remittance process. (Rep. A. Nesbitt)
434	6029		Yes	12/20	12/21	12/21/12	<b>Property; conveyances;</b> conveyance of certain state-owned properties in Grand Traverse, Otsego, and Alger counties and interdepartmental transfer of certain state-owned property in Jackson county; provide for. (Rep. W. Schmidt)
435	6030		Yes	12/20	12/21	12/21/12	<b>Property; conveyances;</b> conveyance of certain state-owned properties in Ingham and Wayne counties; provide for. (Rep. J. Bauer)
436		0865	No	12/26	12/27	3/28/13	<b>Local government; other;</b> local financial stability and choice act; create. (Sen. P. Pavlov)
437		0770	No	12/22	12/27	3/28/13 #	<b>State financing and management; bonds;</b> school bond qualification, approval, and loan act; provide technical amendments. (Sen. J. Pappageorge)
438		0771	No	12/22	12/27	3/28/13 #	<b>Education; financing;</b> disposition of bond proceeds from school loan revolving fund bonds by state administrative board; provide for. (Sen. P. Pavlov)

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	HB	SB					
439		0772	No	12/22	12/27	3/28/13 #	<b>State financing and management</b> ; bonds; provision relating to purchase of qualified bonds of school district; modify. ( <i>Sen. H. Walker</i> )
440		1281	Yes	12/22	12/27	12/27/12	<b>Labor</b> ; hours and wages; definition of payroll debit card; revise permitted issuers. ( <i>Sen. D. Booher</i> )
441		1305	Yes	12/22	12/27	12/27/12	<b>Insurance</b> ; property and casualty; rating and underwriting requirements; modify. ( <i>Sen. J. Hune</i> )
442		1283	Yes	12/22	12/27	12/27/12	<b>Financial institutions</b> ; mortgage brokers and lenders; mortgage loans to which mortgage brokers, lenders, and servicers licensing act apply; revise. ( <i>Sen. M. Green</i> )
443		1284	Yes	12/22	12/27	12/27/12	<b>Consumer credit</b> ; lending practices; application of consumer mortgage protection act to certain mortgage transactions; modify. ( <i>Sen. M. Nofs</i> )
444		1285	Yes	12/22	12/27	12/27/12	<b>Consumer credit</b> ; lending practices; mortgage loan subject to mortgage lending practices statute; modify. ( <i>Sen. J. Marleau</i> )
445		1308	Yes	12/22	12/27	12/27/12	<b>Insurance</b> ; health; internal formal grievance procedure; modify. ( <i>Sen. J. Marleau</i> )
446		1328	Yes	12/22	12/27	12/27/12	<b>Environmental protection</b> ; cleanups; procedures for cleanups and funding; modify. ( <i>Sen. T. Casperson</i> )
447		1336	Yes	12/22	12/27	12/27/12 #	<b>Labor</b> ; health and safety; occupational health standards commission; eliminate and update with federal hazard communication standards. ( <i>Sen. P. Colbeck</i> )
448	5917		Yes	12/20	12/27	12/27/12 #	<b>Labor</b> ; health and safety; construction safety commission; eliminate. ( <i>Rep. J. Graves</i> )

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	HB	SB					
449	5836		Yes	12/20	12/27	12/31/12 #	<b>Financial institutions; savings and loan associations;</b> electronic funds transfer terminal statute; revise citations to savings and loan act. <b>(Rep. N. Jenkins)</b>
450	5837		Yes	12/20	12/27	12/31/12 #	<b>Financial institutions; savings and loan associations;</b> handling and processing food stamps statute; revise citations. <b>(Rep. K. Cotter)</b>
451	5838		Yes	12/20	12/27	12/31/12 #	<b>Financial institutions; savings and loan associations;</b> exemption of association shares from levy and sale; revise citation to savings and loan act. <b>(Rep. M. Huuki)</b>
452	5863		Yes	12/20	12/27	12/31/12 #	<b>Financial institutions; savings and loan associations;</b> motor vehicle sales finance statute; revise citation to savings and loan act. <b>(Rep. R. Franz)</b>
453	5890		Yes	12/20	12/27	12/27/12	<b>Insurance; producers;</b> fee assessed for reporting a change in mailing address; eliminate. <b>(Rep. D. Shaughnessy)</b>
454	5891		Yes	12/20	12/27	12/27/12	<b>Insurance; property and casualty;</b> requirement for written notice to policyholder and providing premium quotations to applicants; revise, and revise requirements relating to no-fault coordinated benefits deductibles and discounts. <b>(Rep. P. Lund)</b>
455	5843		No	12/22	12/27	3/31/13	<b>Crimes; other;</b> organized retail crime act; create. <b>(Rep. J. Graves)</b>
456	5902		Yes	12/22	12/27	3/31/13 #	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for organized retail crime act violations; enact. <b>(Rep. J. Graves)</b>
457	4725		Yes	12/22	12/27	12/27/12	<b>Crime victims; rights;</b> information concerning minors who have been victims of child abuse or sex crimes; exempt from disclosure under the crime victim's rights act. <b>(Rep. T. McMillin)</b>
458	4804		Yes	12/22	12/27	12/27/12	<b>Sales tax; collections;</b> prepayment collection process; revise. <b>(Rep. R. Schmidt)</b>

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	HB	SB					
459	4838		Yes	12/22	12/27	12/27/12	<b>State</b> ; <i>interstate compacts and agreements</i> ; mutual aid agreements for certain emergencies; allow. (Rep. S. Tyler)
460	4856		Yes	12/22	12/27	12/27/12	<b>Crimes</b> ; <i>other</i> ; transporting medical marihuana in motor vehicle; allow under certain circumstances. (Rep. B. Giarson)
461	5047		Yes	12/22	12/27	12/27/12	<b>Property tax</b> ; <i>assessments</i> ; use of computerized database as tax roll; allow for county treasurers. (Rep. H. Haugh)
462	5156		Yes	12/22	12/27	12/27/12	<b>Insurance</b> ; <i>other</i> ; persons authorized to act as adjusters; modify. (Rep. J. Johnson)
463	5220		Yes	12/22	12/27	12/27/12	<b>Property tax</b> ; <i>tax tribunal</i> ; informal settlement conference; require if requested by petitioner. (Rep. M. Knollenberg)
464	5261		Yes	12/22	12/27	12/27/12	<b>Retirement</b> ; <i>public school employees</i> ; retirant employed to provide substitute teaching services by entity other than reporting unit; allow without forfeiture of retirement allowance or health care coverage if reporting unit pays 10% of compensation to retirement system. (Rep. H. Hughes)
465	5267		Yes	12/22	12/27	12/28/12 #	<b>School aid</b> ; <i>membership</i> ; special pupil membership count for qualifying dropout recovery program; provide for, and adjust certain other membership calculations and fund sources. (Rep. B. Genetski)
466	5301		Yes	12/22	12/27	12/27/12	<b>Transportation</b> ; <i>funds</i> ; conditions to receive funding from Michigan transportation fund; modify. (Rep. A. Price)
467	5444		Yes	12/22	12/27	12/27/12	<b>Sales tax</b> ; <i>exemptions</i> ; definition of rolling stock used by an interstate fleet motor carrier; clarify. (Rep. J. Gilbert)
468	5466		Yes	12/22	12/27	3/1/13	<b>Construction</b> ; <i>contracts</i> ; certain indemnification provisions; prohibit in construction-related service contracts with public agencies. (Rep. K. Heise)

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	HB	SB					
469	5852		No	12/22	12/27	3/28/13	<b>Transportation; other;</b> motor fuel sold at a roadside retail location; regulate certain advertising requirements. (Rep. K. Daley)
470	5873		Yes	12/22	12/27	12/27/12	<b>Higher education; financial aid;</b> administration of police officer's and fire fighter's survivor tuition act; transfer to department of treasury and revise application process. (Rep. A. Forlini)
471	5883		Yes	12/22	12/27	12/27/12	<b>Natural resources; fishing;</b> netting of fish; allow department of natural resources to issue order. (Rep. J. Johnson)
472	5931		Yes	12/22	12/27	12/27/12	<b>Human services; medical services;</b> distribution method for departmental bulletin; modify. (Rep. M. Lori)
473	5936		No	12/22	12/27	3/28/13	<b>Traffic control; driver license;</b> driving skills test required to obtain a commercial driver license; allow waiver for certain military personnel and provide for the cancellation of certain licenses and retesting of certain applicants. (Rep. H. Hughes)
474	5937		Yes	12/22	12/27	1/1/06	<b>Use tax; exemptions;</b> property affixed to property in another state; allow certain exemptions and allow exemption to the withdrawal of goods for inventory that will be used for installation in another state. (Rep. P. MacGregor)
475	5732		Yes	12/22	12/27	12/27/12	<b>Michigan business tax; credits;</b> assignment of certain credits for rehabilitation of historic resource; allow. (Rep. J. Gilbert)
476		0931	Yes	12/22	12/27	12/27/12	<b>Appropriations; zero budget;</b> multidepartment supplemental appropriations; provide for fiscal year 2011-2012. (Sen. R. Kahn)
477	5461		Yes	12/22	12/27	12/27/12	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for crime of unemployment compensation fraud involving a knowing false misrepresentation of \$3,500.00 to \$25,000.00; enact. (Rep. D. Shaughnessy)
478	5523		Yes	12/27	12/28	12/28/12	<b>Civil rights; privacy;</b> access information for social networking account of employees and students; prohibit employers and education institutions from requiring disclosure. (Rep. A. Nesbitt)

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	HB	SB					
479		0152	No	12/27	12/28	3/28/13	<b>Criminal procedure</b> ; evidence; electronic recording of certain custodial interrogation sessions; require under certain circumstances and revise procedures for determining admissibility as evidence. ( <b>Sen. T. Schuitmaker</b> )
480		0873	No	12/27	12/28	3/28/13	<b>Transportation</b> ; carriers; indemnity clauses; prohibit in motor carrier transportation contracts. ( <b>Sen. J. Marleau</b> )
481		0933	Yes	12/27	12/28	12/28/12	<b>Worker's compensation</b> ; benefits; medical marihuana expenses incurred to treat work-related injury; exclude from reimbursement requirements. ( <b>Sen. R. Jones</b> )
482		0972	Yes	12/27	12/28	12/28/12	<b>Property tax</b> ; payment and collection; tax bills; require to include past due amounts owed. ( <b>Sen. D. Hildenbrand</b> )
483		0978	Yes	12/26	12/28	12/28/12	<b>Probate</b> ; trusts; trust decanting; allow. ( <b>Sen. T. Schuitmaker</b> )
484		0979	Yes	12/26	12/28	12/28/12	<b>Probate</b> ; trusts; personal property trust perpetuities act; modify to account for decanted trusts. ( <b>Sen. T. Schuitmaker</b> )
485		0980	Yes	12/26	12/28	12/28/12	<b>Probate</b> ; trusts; powers of appointment; revise. ( <b>Sen. R. Jones</b> )
486		0988	No	12/27	12/28	3/28/13	<b>State</b> ; buildings; pedestrian walkway between the Michigan state capitol and the Michigan hall of justice; designate as the "Frank J. Kelley Walkway". ( <b>Sen. S. Bieda</b> )
487		0996	Yes	12/27	12/28	12/28/12	<b>Agriculture</b> ; animals; indemnity for livestock killed by wolves, coyotes, and cougars; authorize. ( <b>Sen. T. Casperson</b> )
488		1031	Yes	12/27	12/28	12/28/12	<b>Natural resources</b> ; forests; municipal forest property; allow recreational activities to be conducted on property. ( <b>Sen. T. Casperson</b> )

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	HB	SB					
489		1133	Yes	12/27	12/28	12/28/12	<b>Property</b> ; conveyances; sale of Ypsilanti state police post; provide for. ( <i>Sen. R. Warren</i> )
490		1148	Yes	12/27	12/28	12/28/12	<b>Economic development</b> ; plant rehabilitation; exception for tax abatements for certain local governmental units; provide for. ( <i>Sen. B. Caswell</i> )
491		1180	Yes	12/27	12/28	12/28/12	<b>Vehicles</b> ; registration plates; use of "Pure Michigan" brand on standard design registration plates; allow. ( <i>Sen. G. Hansen</i> )
492		1189	Yes	12/27	12/28	12/28/12	<b>Retirement</b> ; pension oversight; equal treatment of elected members of a public employee retirement system governing board; establish. ( <i>Sen. M. Jansen</i> )
493		1272	Yes	12/27	12/28	12/28/12	<b>Employment security</b> ; contribution rate; distribution of contributions; modify. ( <i>Sen. M. Jansen</i> )
494	4134		Yes	12/27	12/28	12/28/12	<b>Property tax</b> ; exemptions; unoccupied new construction; exempt for certain period. ( <i>Rep. M. O'Brien</i> )
495	4496		Yes	12/27	12/28	12/28/12	<b>Higher education</b> ; community colleges; granting of baccalaureate degrees in certain fields; allow. ( <i>Rep. J. Walsh</i> )
496	4726		Yes	12/27	12/28	12/28/12	<b>Employment security</b> ; benefits; volunteer firefighters compensation; exclude from unemployment benefit calculation. ( <i>Rep. A. Pscholka</i> )
497	4753		Yes	12/27	12/28	12/28/12	<b>Property tax</b> ; assessments; assessment cap on property if transferred to immediate family member and use does not change; retain. ( <i>Rep. P. Pettalia</i> )
498	5668		No	12/28	12/28	3/28/13	<b>Vehicles</b> ; other; Michigan vehicle code; make general revisions. ( <i>Rep. B. Jacobsen</i> )

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PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
499	5711		No	12/28	12/28	3/31/13	<b>Health</b> ; <i>abortion</i> ; law regulating abortions; clarify, and include provisions relating to medical abortions, screening for coercion to abort, liability insurance requirements, regulation of clinics as freestanding surgical outpatient facilities, disposition of fetal remains, and penalties. <b>(Rep. B. Rendon)</b>
500	4862		Yes	12/27	12/28	12/28/12 #	<b>Mental health</b> ; <i>community mental health</i> ; merger of mental health and substance abuse services; provide for. <b>(Rep. E. Poleski)</b>
501	4863		Yes	12/22	12/28	1/1/13 #	<b>Health</b> ; <i>substance abuse treatment</i> ; local substance abuse treatment coordinating agencies; eliminate, and refer to substance abuse services provided by community mental health services programs. <b>(Rep. E. Poleski)</b>
502		1210	Yes	12/28	12/28	12/28/12	<b>Economic development</b> ; <i>brownfield redevelopment authority</i> ; community revitalization program and historic resources; include and provide other general amendments. <b>(Sen. M. Kowall)</b>
503	5835		Yes	12/20	12/28	12/28/12	<b>Financial institutions</b> ; <i>savings and loan associations</i> ; savings and loan act of 1980; repeal. <b>(Rep. J. Farrington)</b>
504	4561		No	12/27	12/28	3/28/13	<b>Construction</b> ; <i>code</i> ; Michigan residential code; beginning in 2015, update every 3 or 6 years. <b>(Rep. J. Haveman)</b>
505	4975		No	12/27	12/28	4/1/14 #	<b>Occupations</b> ; <i>appraisers</i> ; appraisal management companies; regulate. <b>(Rep. M. O'Brien)</b>
506	5302		Yes	12/27	12/28	12/28/12	<b>Transportation</b> ; <i>funds</i> ; local road agencies; require adoption of best practices and asset management standards as a condition of receiving funds. <b>(Rep. R. Schmidt)</b>
507	5313		Yes	12/27	12/28	12/28/12	<b>Transportation</b> ; <i>funds</i> ; conditions to receive funding from Michigan transportation fund; modify. <b>(Rep. B. Jacobsen)</b>
508	5315		No	12/27	12/28	3/28/13	<b>Mental health</b> ; <i>other</i> ; standards for fingerprinting, photographing, audiorecording, and using 1-way glass for recipients of mental health services; modify, and regulate video surveillance in psychiatric hospitals. <b>(Rep. P. Somerville)</b>

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	HB	SB					
509	5817		No	12/27	12/28	3/28/13	<b>Sales tax; collections;</b> regulations on prepaid sales tax on gasoline; modify. (Rep. P. Opsommer)
510	5557		Yes	12/27	12/28	12/28/12	<b>Economic development; downtown development authorities;</b> capture of certain taxes; modify. (Rep. M. O'Brien)
511	5673		Yes	12/27	12/28	1/2/13 #	<b>Water; quality;</b> strategic water quality initiatives fund; modify grant and loan programs. (Rep. A. Pscholka)
512	4851		Yes	12/27	12/28	4/1/13	<b>Health; medical marihuana;</b> definition of "bona fide physician-patient relationship", "enclosed, locked facility", and "primary caregiver"; clarify and condition privilege from arrest on presentation of I.D. (Rep. P. Cavanagh)
513	4853		Yes	12/27	12/28	4/1/13	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for crime of selling or providing medical marihuana to unprescribed user; implement. (Rep. E. McBroom)
514	4834		Yes	12/27	12/28	4/1/13	<b>Health; medical marihuana;</b> registry identification cards; modify requirements for issuing, and provide for contracting, reviewing additional debilitating medical conditions, and depositing and expending fees. (Rep. G. Haines)
515	5801		Yes	12/27	12/28	12/28/12	<b>State; interstate compacts and agreements;</b> state and province emergency management assistance agreement; establish. (Rep. R. Franz)
516		0969	Yes	12/28	12/28	12/28/12 #	<b>School aid; membership;</b> seat time exception for qualifying dropout recovery program; provide for and revise seat time waiver provisions for online programs. (Sen. J. Proos)
517		1024	Yes	12/28	12/28	4/1/13	<b>State financing and management; purchasing;</b> Iran economic sanctions act; enact. (Sen. R. Kahn)
518	5367		Yes	12/27	12/28	12/28/12	<b>Appropriations; zero budget;</b> multidepartment supplemental appropriations; provide for fiscal year 2012-2013. (Rep. C. Moss)

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	HB	SB					
519	5830		Yes	12/27	12/28	12/28/12	<b>State financing and management; authorities;</b> state building authority; modify to comply with capital outlay reforms. (Rep. E. Kowall)
520		1350	Yes	12/28	12/28	12/28/12	<b>Natural resources; hunting;</b> gray wolf; include in game list and authorize hunting season. (Sen. T. Casperson)
521		1172	Yes	12/28	12/28	12/28/12	<b>Civil procedure; foreclosure;</b> mortgage modification negotiation procedures; extend sunset provision. (Sen. D. Booher)
522		0265	Yes	12/28	12/28	12/28/12	<b>Traffic control; violations;</b> weight restriction during frost restriction periods; provide exemption for trucks transporting heating fuel under certain circumstances. (Sen. T. Casperson)
523		0810	No	12/28	12/28	3/28/13	<b>Elections; other;</b> village elections to be held in November; require, and general amendments to the Michigan election law. (Sen. G. Hansen)
524	4446		Yes	12/27	12/28	12/28/12	<b>Property tax; principal residence exemption;</b> filing deadline and proration exemption; provide for. (Rep. M. O'Brien)
525	5404		Yes	12/27	12/28	12/28/12	<b>Land use; land division;</b> landlocked cemeteries; explicitly prohibit in land division and platting processes. (Rep. D. Zorn)
526	5422		Yes	12/27	12/28	12/28/12	<b>Corrections; employees;</b> new employee training for corrections officers; allow to be provided by certain colleges under certain circumstances. (Rep. J. Haveman)
527	5600		Yes	12/27	12/28	12/28/12	<b>Juveniles; criminal procedure;</b> set-aside convictions for juvenile adjudications; clarify eligibility. (Rep. J. Haveman)
528	5459		Yes	12/27	12/28	12/28/12	<b>Civil rights; open meetings;</b> requirement for 18-hour notice for special meetings; clarify definition of accessible posting. (Rep. P. Opsommer)

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	HB	SB					
529	5487		No	12/27	12/28	3/28/13	<b>Law enforcement; other;</b> certification requirements for certain agents of county road commission; clarify, and clarify their authority to issue certain citations. (Rep. P. Potvin)
530	5805		Yes	12/27	12/28	1/1/13	<b>Insurance; health;</b> health care sharing ministries freedom to share act; enact to recognize ministries and provide they are not engaging in the business of insurance. (Rep. L. Lyons)
531	5692		No	12/27	1/2	4/3/13 #	<b>Crimes; arson;</b> certain arson violations; revise elements of crimes and provide for increased penalties. (Rep. J. Walsh)
532	5693		No	12/27	1/2	4/3/13 #	<b>Crimes; arson;</b> certain arson violations; revise elements of crimes and provide for increased penalties. (Rep. K. Cotter)
533	5694		No	1/2	1/2	4/3/13 #	<b>Crimes; arson;</b> certain arson violations; revise elements of crimes and provide for increased penalties. (Rep. J. Graves)
534	5695		No	12/27	1/2	4/3/13 #	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for certain arson violations; enact. (Rep. S. Erwin Oakes)
535		021	Yes	1/2	1/2	1/2/13 #	<b>State financing and management; other;</b> performance metrics; require of state departments. (Sen. T. Schuitmaker)
536		0802	Yes	1/2	1/2	1/2/13 #	<b>State financing and management; budget;</b> state departments' transparency; require itemized financial plan and posting on website. (Sen. P. Colbeck)
537		056	No	1/2	1/2	3/28/13	<b>Highways; name;</b> renaming a portion of M-21; designate as "Mark V. Ingram II Freeway". (Sen. J. Gleason)
538		0231	Yes	1/2	1/2	4/1/13	<b>Crimes; other;</b> discovery of a dead body; require to notify law enforcement under certain circumstances. (Sen. T. Schuitmaker)

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	HB	SB					
539		0380	Yes	1/2	1/2	4/1/13 #	<b>Criminal procedure</b> ; sentencing guidelines; sentencing guidelines for crime of failure to report a dead body with purpose of concealing fact of or cause of death; provide for. ( <b>Sen. D. Hildenbrand</b> )
540	4555		No	12/27	1/2	3/28/13 #	<b>Juveniles</b> ; criminal procedure; juvenile competency and culpability; clarify. ( <b>Rep. E. Lipton</b> )
541		0246	No	1/2	1/2	3/28/13 #	<b>Juveniles</b> ; criminal procedure; juvenile competency standards; revise. ( <b>Sen. T. Schuitmaker</b> )
542		0321	Yes	1/2	1/2	1/2/13	<b>Insurance</b> ; no-fault; medical marihuana coverage in insurance policies; exempt required coverage for. ( <b>Sen. R. Jones</b> )
543		0353	No	1/2	1/2	3/31/13	<b>Traffic control</b> ; violations; any intoxicating substance; include in definition of "operating while intoxicated". ( <b>Sen. D. Robertson</b> )
544		0467	Yes	1/2	1/2	6/1/13	<b>Insurance</b> ; annuities; regulation of annuity sales; provide for. ( <b>Sen. R. Jones</b> )
545		0539	Yes	1/2	1/2	1/2/13	<b>Probate</b> ; guardians and conservators; appointment in this state of guardians and conservators appointed in other jurisdictions; allow. ( <b>Sen. T. Schuitmaker</b> )
546		0577	Yes	1/2	1/2	1/2/13	<b>Occupations</b> ; athletics; unarmed combat regulatory act; provide for confidentiality of information and make other general revisions. ( <b>Sen. J. Hune</b> )
547		0630	No	1/2	1/2	4/1/13	<b>Criminal procedure</b> ; probation; retention and release of nonpublic records of an arrest, diversion, discharge, or dismissal of certain controlled substance cases; clarify. ( <b>Sen. R. Jones</b> )
548		0631	No	1/2	1/2	4/1/13	<b>Criminal procedure</b> ; probation; procedures for retention and use of nonpublic record of deferral for crime of taking or retaining child; revise, and limit number of deferral opportunities. ( <b>Sen. T. Schuitmaker</b> )

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	HB	SB					
549		0632	No	1/2	1/2	4/1/13	<b>Criminal procedure; probation;</b> procedures for retention and use of nonpublic record of deferral for a controlled substance violation; revise. ( <i>Sen. S. Bieda</i> )
550		0633	No	1/2	1/2	4/1/13	<b>Criminal procedure; probation;</b> retention of nonpublic records during period of diversion for certain crimes; clarify. ( <i>Sen. V. Smith</i> )
551		0811	No	1/2	1/2	3/28/13 #	<b>Villages; general law;</b> references to September primary election; remove. ( <i>Sen. G. Hansen</i> )
552		0859	Yes	1/2	1/2	1/2/13	<b>Insurance; other;</b> sale of portable electronics insurance; exempt from requirements for licensing of producers. ( <i>Sen. D. Hildenbrand</i> )
553		0895	Yes	1/2	1/2	1/2/13	<b>Civil procedure; execution;</b> educational trusts and accounts; provide exemption from execution, garnishment, and attachment. ( <i>Sen. M. Green</i> )
554		0939	Yes	1/2	1/2	1/2/13	<b>Environmental protection; permits;</b> clean corporate citizen program; establish in statute and provide incentives. ( <i>Sen. A. Meekhof</i> )
555		0940	Yes	1/2	1/2	1/2/13 #	<b>State financing and management; purchasing;</b> priority consideration; grant to companies in environmental leaders program. ( <i>Sen. J. Proos</i> )
556		0941	Yes	1/2	1/2	1/2/13 #	<b>Environmental protection; solid waste;</b> public health code; make parts concerning medical waste and radiation control subject to environmental leaders program. ( <i>Sen. T. Casperson</i> )
557		0942	Yes	1/2	1/2	1/2/13 #	<b>Environmental protection; other;</b> safe drinking water act; make subject to environmental leaders program. ( <i>Sen. M. Green</i> )
558		1043	No	1/2	1/2	3/28/13	<b>Civil procedure; service of process;</b> process server fees; revise, and allow fees for certain additional services. ( <i>Sen. M. Nofs</i> )

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	HB	SB					
559		1155	Yes	1/2	1/2	1/2/13 #	<b>Water; quality;</b> wetland mitigation bank funding program; authorize with funding from the strategic water quality initiatives fund. ( <i>Sen. M. Kowall</i> )
560		1156	Yes	1/2	1/2	1/2/13 #	<b>Water; quality;</b> state water pollution control revolving fund; modify definition of disadvantaged community to be eligible for clean water assistance. ( <i>Sen. J. Proos</i> )
561		1157	Yes	1/2	1/2	1/2/13 #	<b>Water; quality;</b> safe drinking water revolving fund; revise designation of disadvantaged community and modify points awarded for funding priorities. ( <i>Sen. P. Pavlov</i> )
562		1158	Yes	1/2	1/2	1/2/13 #	<b>Water; quality;</b> transfer of money from the Great Lakes water quality bond fund; modify distributions. ( <i>Sen. D. Hildenbrand</i> )
563		1206	Yes	1/2	1/2	1/2/13	<b>Environmental protection;</b> solid waste; bulk biosolids of exceptional quality used for landscaping; exempt from certain rules concerning cumulative loading, management practices, and reporting. ( <i>Sen. T. Casperson</i> )
564		1211	No	1/2	1/2	3/28/13	<b>Crime victims; rights;</b> victim notification of paroled prisoner escape, commutation, death, or parole board hearing; require, and allow victim to address parole board under certain circumstances. ( <i>Sen. M. Green</i> )
565		1232	Yes	1/2	1/2	1/2/13	<b>Children; adoption;</b> Michigan Indian family preservation act (MIFPA); create. ( <i>Sen. J. Emmons</i> )
566		1317	Yes	1/2	1/2	1/2/13 #	<b>Businesses; professional corporations;</b> citation to professional service corporation act in occupational code; revise. ( <i>Sen. M. Kowall</i> )
567		1318	Yes	1/2	1/2	1/2/13 #	<b>Businesses; professional corporations;</b> citation to professional service corporation act in assumed name statute; revise. ( <i>Sen. T. Schuitmaker</i> )
568		1319	Yes	1/2	1/2	1/2/13 #	<b>Businesses; professional corporations;</b> citation to professional service corporation act in limited liability company act; revise. ( <i>Sen. R. Jones</i> )

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	HB	SB					
569		1320	Yes	1/2	1/2	1/2/13	<b>Businesses; professional corporations;</b> regulation of professional corporations; recodify in business corporation act and make general revisions. ( <i>Sen. M. Kowall</i> )
570		1322	Yes	1/2	1/2	1/2/13	<b>Transportation; other;</b> amendment of motor bus transportation act to reflect transfer of duties regarding self-insurers from the secretary of state to the insurance commissioner; provide for. ( <i>Sen. J. Hune</i> )
571		1323	Yes	1/2	1/2	1/2/13	<b>Insurance; no-fault;</b> act allowing municipal self-insurance pools; amend to reflect transfer of duties regarding self-insurers from the secretary of state to the insurance commissioner. ( <i>Sen. J. Hune</i> )
572		1324	Yes	1/2	1/2	1/2/13	<b>Insurance; no-fault;</b> motor vehicle claims act; amend to reflect transfer of duties regarding self-insurers from the secretary of state to the insurance commissioner. ( <i>Sen. J. Hune</i> )
573		1337	No	1/2	1/2	3/28/13	<b>Sales tax; exemptions;</b> exemptions for fund-raising by nonprofits and charities; clarify. ( <i>Sen. M. Jansen</i> )
574		1261	Yes	1/2	1/2	1/2/13 #	<b>Natural resources; other;</b> Michigan civilian conservation corps; modify program and authorize another entity to establish and operate a Michigan civilian conservation corps. ( <i>Sen. G. Hansen</i> )
575		1262	Yes	1/2	1/2	1/2/13 #	<b>Natural resources; other;</b> Michigan civilian conservation corps act; modify program and authorize another entity to establish and operate a Michigan civilian conservation corps. ( <i>Sen. T. Casperson</i> )
576		1263	Yes	1/2	1/2	1/2/13 #	<b>Natural resources; other;</b> Michigan civilian conservation corps; modify, and authorize another entity to establish and operate a Michigan civilian conservation corps. ( <i>Sen. P. Pavlov</i> )
577		1264	Yes	1/2	1/2	1/2/13 #	<b>Natural resources; other;</b> Michigan civilian conservation corps; modify program and authorize another entity to establish and operate a Michigan civilian conservation corps. ( <i>Sen. R. Warren</i> )
578		1265	Yes	1/2	1/2	1/2/13 #	<b>Natural resources; other;</b> Michigan civilian conservation corps; modify, and authorize another entity to establish and operate a Michigan civilian conservation corps. ( <i>Sen. M. Green</i> )

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579		1267	Yes	1/2	1/2	1/2/13	<b>Employment security</b> ; benefits; sunset for shared-work plan; remove. ( <i>Sen. B. Caswell</i> )
580		1291	Yes	1/2	1/2	1/2/13	<b>Occupations</b> ; alarm systems; registration of alarm system services providers; provide for. ( <i>Sen. D. Hildenbrand</i> )
581		1292	Yes	1/2	1/2	1/2/13 #	<b>Occupations</b> ; alarm systems; registered alarm system providers; exclude from private security business and security alarm act. ( <i>Sen. D. Hildenbrand</i> )
582		1296	Yes	1/2	1/2	1/2/13	<b>Civil procedure</b> ; statute of limitations; statute of repose for actions against an attorney-at-law or a law firm; enact. ( <i>Sen. T. Schuitmaker</i> )
583		1313	Yes	1/2	1/2	3/1/13	<b>Crimes</b> ; crimes against minors; copying or reproducing child sexually abusive material; prohibit, and restrict access to and reproduction of evidence of the violation. ( <i>Sen. G. Hansen</i> )
584	5892		Yes	12/27	1/3	1/3/13	<b>Consumer protection</b> ; consumer leases; fee to reinstate after missing a payment; limit and clarify reinstatement rights. ( <i>Rep. W. Schmidt</i> )
585		0264	No	12/27	1/3	3/28/13	<b>Use tax</b> ; collections; prepayment collection process; revise. ( <i>Sen. D. Hildenbrand</i> )
586	4121		Yes	1/7	1/7	1/7/13 #	<b>Elections</b> ; other; metropolitan district elections; provide for under the Michigan election law. ( <i>Rep. R. Hammel</i> )
587	4122		Yes	1/7	1/7	1/7/13 #	<b>Elections</b> ; other; metropolitan district elections; revise. ( <i>Rep. R. Hammel</i> )
588		1091	Yes	1/7	1/7	1/7/13	<b>Mobile homes</b> ; title; duplicate title for mobile home; require certification and information to verify the identity of individual submitting electronic request. ( <i>Sen. M. Kowall</i> )

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	HB	SB					
589		1121	No	1/7	1/7	3/28/13	<b>Vehicles</b> ; <i>agricultural equipment</i> ; definition of implement of husbandry; revise, and eliminate prohibition on carrying a passenger on a moped. ( <b>Sen. B. Caswell</b> )
590		1240	Yes	1/7	1/7	1/7/13	<b>Torts</b> ; <i>liability</i> ; social services agency; grant immunity for providing child social welfare programs. ( <b>Sen. D. Hildenbrand</b> )
591		1321	No	1/7	1/7	3/28/13	<b>Occupations</b> ; <i>security guards</i> ; reporting certain crimes to law enforcement; require. ( <b>Sen. R. Jones</b> )
592		0756	No	1/8	1/8	3/28/13	<b>Traffic control</b> ; <i>driver license</i> ; individuals with level 2 graduated driver license using cell phone while operating a vehicle; prohibit. ( <b>Sen. H. Walker</b> )
593		1112	Yes	1/8	1/9	1/9/13 #	<b>Children</b> ; <i>protection</i> ; task force on the prevention of sexual abuse of children; create. ( <b>Sen. J. Proos</b> )
594		1113	Yes	1/8	1/9	1/9/13 #	<b>Education</b> ; <i>school districts</i> ; school district policy regarding child sex abuse and suggested instruction and training in child sex abuse prevention; provide for. ( <b>Sen. R. Warren</b> )
595		1114	Yes	1/8	1/9	1/9/13 #	<b>Education</b> ; <i>curricula</i> ; opt-out from instruction regarding child sexual abuse and opportunity for parental preview; provide for. ( <b>Sen. J. Emmons</b> )
596		0192	No	1/8	1/9	3/28/13	<b>Probate</b> ; <i>wills and estates</i> ; estate administration fee; allow deduction for amount of mortgage on real property. ( <b>Sen. B. Caswell</b> )
597		0409	Yes	1/8	1/9	1/9/13	<b>Income tax</b> ; <i>deductions</i> ; certain pension income; modify. ( <b>Sen. G. Hansen</b> )
598		0645	No	1/8	1/9	3/28/13	<b>Corrections</b> ; <i>prisoners</i> ; prisoners receiving or possessing certain items; prohibit. ( <b>Sen. R. Kahn</b> )

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	HB	SB					
599		0878	No	1/8	1/9	3/28/13	<b>Corrections; other;</b> use of a certain youth correctional facility to house certain adult inmates; provide for, and allow department of corrections to contract with certain other vendors for placement of prisoners. ( <i>Sen. J. Proos</i> )
600		1000	Yes	1/8	1/9	1/9/13	<b>Family law; parenting time;</b> parenting time in a country not a party to the Hague convention on the civil aspects of international child abduction; prohibit. ( <i>Sen. J. Moolenaar</i> )
601		1006	Yes	1/8	1/9	1/1/08	<b>Michigan business tax; gross receipts;</b> treatment of certain payments to subcontractors as purchases from other firms; clarify. ( <i>Sen. M. Jansen</i> )
602		1008	Yes	1/8	1/9	1/9/13	<b>Water; other;</b> aquifer protection and dispute resolution program; establish. ( <i>Sen. J. Moolenaar</i> )
603		1021	Yes	1/8	1/9	1/9/13	<b>Property tax; other;</b> payment in lieu of taxes on certain state-owned land; increase, and prohibit prorated payments. ( <i>Sen. T. Casperson</i> )
604		1022	Yes	1/8	1/9	1/9/13	<b>Property tax; other;</b> payment in lieu of taxes on certain state-owned land; revise. ( <i>Sen. D. Booher</i> )
605		1037	Yes	1/8	1/9	1/1/08	<b>Michigan business tax; administration;</b> gross receipts, tax base, apportionment, and historic rehabilitation credit; modify to reflect original intent. ( <i>Sen. J. Brandenburg</i> )
606		1051	Yes	1/8	1/9	1/9/13	<b>Education; board members;</b> board members to abstain from voting on financial issues or contracts when a conflict of interest exists; require, and require certain other disclosures of conflicts. ( <i>Sen. J. Hune</i> )
607		1386	Yes	1/8	1/9	1/9/13	<b>Human services; services or financial assistance;</b> assistance program; clarify the family independence program assistance eligibility requirements. ( <i>Sen. B. Caswell</i> )
608		1115	No	1/8	1/9	3/28/13	<b>Torts; medical malpractice;</b> procedures for entry of damage awards; modify and clarify. ( <i>Sen. R. Kahn</i> )

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\*\*\* - See Act for applicable effective date.

+ - Line item veto.

++ - Pocket veto.

# - Tie bar.

## 2012 Michigan Public Acts Table

PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
609		1118	No	1/8	1/9	3/28/13	<b>Torts; medical malpractice;</b> statute of limitations; revise period of limitations for survival actions and disallow prejudgment interest on attorney fees and costs. ( <b>Sen. J. Hune</b> )
610		1126	No	1/8	1/9	3/28/13 #	<b>Corrections; prisoners;</b> electronic monitoring of certain participants in work or school release programs; require. ( <b>Sen. R. Jones</b> )
611		1357	Yes	1/8	1/9	3/1/13 #	<b>Criminal procedure; sentencing guidelines;</b> sentencing guidelines for crime of tampering with or removing electronic monitoring device; enact. ( <b>Sen. R. Jones</b> )
612		1127	Yes	1/8	1/9	3/1/13 #	<b>Corrections; other;</b> verification of school enrollment or employment of individual placed on school or work release while on probation; require, and prohibit removing, destroying, or tampering with electronic monitoring device. ( <b>Sen. R. Jones</b> )
613		1307	Yes	1/8	1/9	3/1/13	<b>Criminal procedure; sentencing;</b> verification of school enrollment or employment of individual released from jail to attend school or for employment purposes; amend day parole act to require and provide for conditions of release. ( <b>Sen. R. Jones</b> )
614		1132	Yes	1/8	1/9	1/9/13	<b>Children; adoption;</b> petition for adoption; allow a married spouse to adopt an adult individually under certain circumstances. ( <b>Sen. J. Pappageorge</b> )
615		1135	No	1/8	1/9	3/28/13	<b>Human services; services or financial assistance;</b> program to provide energy assistance for low-income households; create. ( <b>Sen. B. Caswell</b> )
616		1141	Yes	1/8	1/9	1/9/13 #	<b>Criminal procedure; probation;</b> probation swift and sure sanctions act; create, and provide for program eligibility and program funding. ( <b>Sen. J. Proos</b> )
617		1179	Yes	1/8	1/9	1/9/13 #	<b>Courts; court of appeals;</b> certain fees collected by the state court of appeals; allow to be used to implement the probation swift and sure sanctions act. ( <b>Sen. J. Proos</b> )
618		1145	Yes	1/8	1/9	1/9/13 #	<b>Occupations; physician's assistants;</b> prescription of drugs by physician's assistant, practicing under the supervision of a licensed physician; clarify. ( <b>Sen. J. Marleau</b> )

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	HB	SB					
619		1238	Yes	1/8	1/9	1/9/13	<b>Natural resources; funding;</b> Michigan natural resources trust fund; modify procedures for selection of land acquisition and development projects. ( <i>Sen. D. Booher</i> )
620		1239	No	1/8	1/9	3/28/13	<b>Education; financing;</b> strict discipline academy access to long-term borrowing abilities; provide for. ( <i>Sen. D. Hildenbrand</i> )
621		1243	Yes	1/8	1/9	1/9/13	<b>Economic development; other;</b> appropriation of money from the transportation economic development fund to state trunk line fund; extend to 2013. ( <i>Sen. J. Pappageorge</i> )
622		1280	Yes	1/8	1/9	1/9/13	<b>Natural resources; land acquisition;</b> land exchange facilitation funds; increase maximum balance and allow sale of state land, otherwise needed to meet department objective, for forestry or mineral industry use. ( <i>Sen. T. Casperson</i> )
623		1315	Yes	1/8	1/9	1/9/13	<b>Criminal procedure; warrants;</b> warrantless search of parolees; provide for under certain circumstances. ( <i>Sen. J. Proos</i> )
624		1351	Yes	1/8	1/9	1/9/13	<b>Courts; reorganization;</b> court of appeals and certain district court districts; reorganize. ( <i>Sen. J. Pappageorge</i> )
625	5727		No	1/8	1/9	3/28/13	<b>State financing and management; purchasing;</b> energy-based performance contracting for governmental energy use; require. ( <i>Rep. J. Haveman</i> )
Veto	4116		Yes	No	12/21	6/28/12	<b>State; interstate compacts and agreements;</b> review by attorney general; require. ( <i>Rep. P. Opsommer</i> )
Veto	4263		Yes	No	3/16	++	<b>Housing; landlord and tenants;</b> lawful reentry by landlord upon death of tenant; modify conditions for. ( <i>Rep. M. O'Brien</i> )
Veto	5061		Yes	No	7/3	7/3/12	<b>Elections; absent voters;</b> photograph identification; require when obtaining an absentee ballot, require certain reporting by local clerks concerning registration affidavits, and require secretary of state to develop information displays indicating that ballot coaching in residential care facilities is prohibited. ( <i>Rep. B. Jacobsen</i> )

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PA No.	ENROLLED		I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
	HB	SB					
Veto	5415		Yes	No	7/2	12/28/12	<b>Recreation; local parks;</b> Father Marquette national memorial and Mackinac straits area museum advisory board; establish. (Rep. F. Foster)
Veto	5546		Yes	No	6/19	++	<b>Gaming; horse racing;</b> miscellaneous changes to the horse racing law of 1995; enact. (Rep. K. Daley)
Veto		059	No	No	1/2	12/18/12	<b>Weapons; licensing;</b> concealed weapons licensing boards; eliminate, and transfer powers to secretary of state. (Sen. M. Green)
Veto		0703	Yes	No	4/20	12/28/12 #	<b>Animals; other;</b> importation requirements for large carnivore; implement. (Sen. J. Hune)
Veto		0754	Yes	No	7/3	7/3/12	<b>Elections; registration;</b> photograph identification for in-person voter registration applicants; require, and provide registration and training of third-party voter registration organizations. (Sen. M. Jansen)
Veto		0803	Yes	No	6/29	7/3/12	<b>Elections; voters;</b> declaration of United States citizenship when voting or applying for an absent voter ballot; require. (Sen. D. Booher)
Veto		1236	Yes	No	12/28	12/28/12	<b>Animals; other;</b> reference to certain contact with large carnivore over 20 weeks of age; modify and make other general revisions. (Sen. T. Casperson)
Veto		1293	Yes	No	12/19	12/28/12 #	<b>Insurance; health;</b> regulations applicable to nonprofit mutual disability insurer; revise to accommodate merger with nonprofit health care corporation. (Sen. J. Hune)
Veto		1294	Yes	No	12/19	++ #	<b>Insurance; health care corporations;</b> merger of corporation with a nonprofit mutual disability insurer; allow, and provide procedures. (Sen. J. Hune)

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